12-04-1963: memorandum: certificate of appropriation no. 6608; december 04, 1963

691-12-9-63
W.R. Copy.

Southwest Region
Santa Fe, New Mexico

L54
BRCA

DEC 4 1963

Memorandum

To: Director

From: Acting Assistant Regional Director, Resource Planning

Subject: Certificate of Appropriation No. 6608, Application No. 20268, Yovimpa Springs Area, Docket No. 1, Bryce Canyon National Park

We have enclosed a copy of the subject certificate which was duly recorded in the Office of the County Recorder in Kane County, Utah, This was done by Superintendent Hallock at 9:00 A.M. on November 21, 1963, and filed in Book W2, Page 21 of the Kane County Records.

We have filed this document in Docket No. 1, Bryce Canyon and by copy of this memorandum are sending it to WODC and Superintendent, Bryce Canyon, for insertion in their Docket No. 1.

(SIGNED)

Norman B. Herkenham

In duplicate ✓

Enclosure → Filed in Docket no. I

cc: WODC (2), w/c enc.
Superintendent, w/c enc.

11-06-1966: memorandum: certificate of appropriation of water number 6608; november 06, 1966

635-11-13-63

WR Copy

Southwest Region
Santa Fe, New Mexico

L54
ERCA

CERTIFIED MAIL

NOV 6 1966

Memorandum

To: Superintendent, Bryce Canyon

From: Acting Assistant Regional Director, Resource Planning

Subject: Certificate of Appropriation of Water Number 6608, Application Number 20278, Yovimpa Springs Area, Docket No. 1, Bryce Canyon National Park

We have enclosed the original certificate No. 6608 received from the State Engineer, Utah, dated October 29, 1963, concerning our proof of beneficial use for Yovimpa Springs. We have also enclosed a copy of the note of transmittal which accompanied the certificate. This certificate must be recorded in the office of the County Recorder in Kane County, Utah, prior to November 29, 1963.

Will you please record the Certificate of Appropriation of Water at your early convenience and return the recorded copy to this office? When this has been done we will make distribution for filing in the Bryce Canyon Docket No. 1.

The cost of recording the Certificate of Appropriation should not exceed $2.00. We suggest that this small amount be paid by the use of imprest funds since most counties require cash in advance for recording. After the costs of recording are known, you may charge Account No. 143.2 of this office in the normal manner.

(SIGNED)

Norman B. Herkenham

Enclosures (2)

cc: Director (2) w/o enc.

10-29-1963: letter: enclosed is certificate no. 6608; october 29, 1963

FORM 22 4M-1-60

THE STATE OF UTAH

OFFICE OF STATE ENGINEER

SALT LAKE CITY

October 29, 1963

United States of America
National Park Service
P.O. Box 1728
Sante Fe, New Mexico

CERTIFICATE ISSUED

APPLICATION NO. 20278

Gentlemen:

Enclosed is Certificate No. 6608 issued by the State Engineer as the final step in completing the appropriation relating to Application No. 20278.

Under the law this Certificate must be recorded in the office of the County Recorder in the County where the water is diverted, within 30 days from the receipt hereof. You should attend to this matter at once.

Yours very truly,

ADDRESS ALL COMMUNICATIONS TO:

Wayne D. Criddle

WAYNE D. CRIDDLE
STATE ENGINEER
STATE CAPITOL
SALT LAKE CITY 1, UTAH

CJA/er

Encs. Certificate

10-61 FORM 1 5000

CERTIFICATE OF APPROPRIATION OF WATER

STATE OF UTAH

Application No. 20278 Certificate No. 6608

1. Name and address of appropriator UNITED STATES OF AMERICA, NAT'L PARK SERVICE
P.O. BOX 1728, SANTE FE, NEW MEXICO

Whereas, it has been made to appear to the satisfaction of the undersigned that the appropriation of water has been perfected under the above numbered application in accordance with the Laws of Utah; Therefore, Be it known that the State Engineer hereby certifies that said appropriator is entitled to the use of water subject to prior rights, if any, as follows:

2. Period and nature of use:

Irrigation	from		to	
Domestic	from	JANUARY 1	to	DECEMBER 31
Stock-watering	from		to	
Municipal	from		to	
Other	from	JANUARY 1	to	DECEMBER 31

3. Source of supply SPRING AREA KNOWN AS YOVIMPA SPRINGS
4. Drainage area COLORADO RIVER
5. Quantity of water 0.0343 c.f.s.
6. Priority of right OCTOBER 19, 1948
7. Point of diversion N 49°07'08" W 7205.58 ft. from NE Cor. Sec. 4, T39S, R4W, SLBM in unsurveyed land
; Kane County, Utah.
8. Method of diversion Collecting pipe, concrete collecting sump, pump unit, equalizing reservoirs and distribution system.
9. Place and/or extent of use:

Domestic purposes for 375,000 persons and fire protection. The domestic use is located in the unsurveyed area known as Rainbow point. The water used for fire protection would be used within the entire area of Bryce Canyon National Park.

ENTRY NO. 4124 RECORDED AT REQUEST OF [illegible] FEE $2.00
Book 12 Page 81 AT 11:00 A.M. KANE COUNTY RECORDER
BY [illegible] DEPUTY. BOOK W-2 PAGE 81

10. Other rights appurtenant

The works employed in this appropriation are to be operated and maintained in such manner and condition as will prevent waste of water. This certificate entitles the holder to use only sufficient water of the rights combined to constitute an econonomic duty without waste.

The right evidenced by this certificate is subject to review by the courts in any adjudication proceedings.

In Witness Whereof, I have hereunto set my hand and affixed the seal of my office this 29th day of October, 1963.

Wayne D. Criddle
WAYNE D. CRIDDLE State Engineer

In the event the right evidenced by this certificate is transferred, a copy of such transfer should be furnished the State Engineer by the party acquiring right.

(Fill in blank spaces but do not sign until ... and accepted as sufficient.)

CERTIFICATE OF APPROPRIATOR

STATE OF ~~UTAH~~ NEW MEXICO)
COUNTY OF SANTA FE) ss.

~~Thomas J. Allen~~ Daniel B. Beard being first duly sworn, certifies that he is the ~~Assistant~~ Regional Director of Southwest Region, National Park Service whose agency has made an application to appropriate water from Yavapai Springs area in Kane County; that said application is filed in the State Engineer's office as No. 20278; that he, as appropriator, employed William E. Fields, Civil Engineer to compile information for the purpose of completion of proof of appropriation and that he or said Civil Engineer hereby accept and submit this written proof together with maps consisting of two sheets, No. 1 to 2; [illegible] that said facts and maps are herewith submitted, and that each and all items contained therein are true to the best of his knowledge and belief.

UNITED STATES OF AMERICA, NATIONAL PARK SERVICE

Daniel B. Beard
APPLICANT OR HIS AGENT

Daniel B. Beard, ~~Thomas J. Allen~~, Regional Director, Southwest Region

Subscribed and sworn to before me this 13th day of September, 19 63.
(Seal) MY COMMISSION EXPIRES June 23, 1966
My commission expires June 23, 1966, 19

Esther H. Hammond
NOTARY PUBLIC

CERTIFICATE OF PROOF ENGINEER

STATE OF ~~UTAH~~ NEW MEXICO)
COUNTY OF SANTA FE) ss.

William E. Fields being first duly sworn, certifies that he was employed to prepare proof of appropriation under Application No. 20278, that the accompanying tracings were prepared from field notes and maps of a survey made by ~~him~~ A. van V. Dunn, civil engineer, in June, 1948 and checked by him in April, 1963; that these tracings, [illegible] when combined with the written proof fully describe the method and extent of beneficial use of the water and that each and all of the items contained herein are true to the best of his knowledge.

William E. Fields
William E. Fields PROOF ENGINEER Civil Engineer

Subscribed and sworn to before me this 13th day of September, 19 63.
(Seal) MY COMMISSION EXPIRES JUNE 24, 1966
My commission expires June 24, 1966, 19

Esther H. Hammond
NOTARY PUBLIC

STATE ENGINEER'S ENDORSEMENTS

Dates

Application received in State Engineer's office; Approved
Proof of Appropriation due in State Engineer's office.
May 10, 1963 Written proof and maps received in State Engineer's office by Ecal ms
Written proof and maps returned for correction by
Corrected written proof and maps resubmitted, received by
Field checked by
Corrected written proof and maps examined and Certificate written by
Certificate of Appropriation issued (No.)
Maps profiles, and drawings are filed.

This written proof and the maps, profiles, and drawings pertaining thereto, are found to comply with the requirements of the Laws of Utah, and the same are hereby approved.

, 19

State Engineer.

Proof of Appropriation
on Application No.

GENERAL REMARKS

(See Instructions on page 4)

Water is collected in 900' of 4-inch tile pipe in gravel filled trenches along fault in water-bearing aquifer in spring area described as: beginning at spring area diversion where tile pipe conveys the water to a 5,000-gallon collection sump whence the northeast corner of sec. 4, T39S., R4W., SLB&M, bears S. 49° 07' 08" E., 7205.58'. At this sump there is a pump house which contains a John Bean pump driven by a 16 HP gasoline engine. This pump is of the high pressure plunger type and delivers the water against 825' of head through 7450' of 2" GI pipe to an elevated steel distribution reservoir of 5000-gallon capacity in unsurveyed land at the Rainbow Point area of Bryce Canyon National Park. The water is used for municipal purposes in that portion of the Park near Rainbow Point. Most of the visitors to the Park visit this area and use the facilities which are drinking water facilities and a comfort station. In addition we expect to add picnic areas and a two-unit apartment which will utilize this source of water. Construction of this water system and other facilities for water use was started during the summer of 1941 under Application 14066 filed February 11, 1941, approved May 15, 1941 by the State Engineer and completed in October, 1946. First beneficial use was made of this water in 1947. The State Engineer rejected proof for municipal purposes under Application No. 14066. On receipt of Certificate of Appropriation, Under Application 20278, the United States will withdraw application 14066 for the appropriation of the same water. Following are spot measurements of records on spring flow: June 11, 1948 - 0.0854 cfs; May 20, 1949 - 0.1335 cfs; May 6, 1959 - 0.00768 cfs; May 23, 1961 - 0.00668 cfs; June 18, 1962 - 0.0334 cfs. All of the above measurements were made by the container-stopwatch method. On April 29, 1963, a measurement by R. D. Pollock showed that the spring overflow filled a container 11.25" in diameter and 11.75" in height in 87 seconds. This time was the average for six fillings. This calculates to 0.00769 cfs. Our diversion pump on May 13, 1947, pumped into the storage tank at a rate of 0.0426 cfs, averaged over a 4-1/2 hour period. On May 2, 1963, a measurement of pump flow was made by R. D. Pollock. The pump raised the water level in the 10.0' diameter tank 9-3/8" in 30 minutes for a calculated flow rate of 0.0341 cfs and in a second measurement raised the water level in the same tank 9-1/2" in 30 minutes for a calculated flow rate of 0.0345 cfs. The average of these is 0.0343 cfs which we divert from the collecting area and apply to beneficial use as described above.

NOTHING HEREIN OR IN THE WITHDRAWAL OF APPLICATION 14066 SHALL BE DEEMED TO CONSTITUTE A WAIVER OR RELINQUISHMENT BY THE UNITED STATES OF ANY RIGHTS, TITLE, PRIORITY, OR INTEREST IT MAY OTHERWISE HAVE TO THE USE OF THE WATER FROM THIS SPRING AREA OR ANY OTHER SOURCE FROM THE STATE OF UTAH.

Submission of proof attested by:

Applicant or his agent: Ramon Callen Date May 7, 1963

Engineer: William E. Fields Date May 7, 1963

P. O. Address of Engineer: P.O. Box 1728, Santa Fe, N.M.

RECEIVED
MAY 10 1943
STATE ENGINEER'S OFFICE

6600

STATE OF UTAH

PROOF OF APPROPRIATION OF WATER

Do not fill out this blank until you have read carefully the instructions in the body and on the back hereof.

Application No. 20278

1. Irrigation ☐ Domestic ☒ Stockwatering ☐ Municipal ☒ Power ☐ Mining ☐
Other Uses ☒ FIRE PROTECTION

2. The name of the appropriator is United States of America, National Park Service

3. The post-office address of the appropriator is P. O. Box 1728, Santa Fe, New Mexico

4. The quantity of water appropriated is 0.0343 second-feet or --- acre-feet

5. The water is used each year for ~~commercial purposes~~ DOMESTIC USE & FIRE PROTECTION from January 1 to December 31
other use period ---- from --- to ---
and stored each year (if stored) ---- from --- to ---
(MONTH/DAY) (MONTH/DAY)

6. The drainage area to which the direct source of supply belongs is: Colorado River (LEAVE BLANK)

7. The direct source of supply is† Spring area at Yovimpa Springs (NAME OF STREAM OR OTHER SOURCE)
which is tributary to Lower Podunk Creek, tributary to Paria River

†Note—State if water is diverted from a well, an underground drain or a tunnel. If the source is a stream, a spring, a spring area, or a surface drain, so indicate, giving its name, if named, and then designate the stream channels to which it is tributary, even though the water may sink, evaporate, or be diverted before reaching said channels. If water from a spring flows in a natural surface channel before being diverted, the direct source should be designated as a stream and not a spring.

8. The point of diversion from ~~stream~~ spring area, ~~which is tributary to~~ (STRIKE WORDS NOT NEEDED)
is in Kane county, situated at a point*
N. 49° 07' 08" W., 7205.58' from NE corner, Sec. 4, T. 39 S., R. 4 W., SLB&M, in unsurveyed land.

*NOTE—Locate the point at which water is first diverted from its source or channel with reference to the same tie corner used in the approved application. In case of storage on the natural channel, or diversion by means of dam, describe the point of intersection of stream bed with the center line of the impounding or diverting dam. If a spring area, describe the point at which water is collected and diverted therefrom, and under General Remarks give a description of closed traverse by metes and bounds of said area.

9. The diverting and carrying works consist of tile collecting pipe, 5,000 gallon concrete collecting sump, pump unit and galvanized iron pipe.

10. If water is used for irrigation purposes, give legal subdivisions of land irrigated
Total area irrigated is ---- acres.

11. If water is used for power purposes, describe the type of power plant used

12. If water is used for mining purposes, give the name of the mine, the mining district, and the uses made of the water

13. If water is used for stockwatering purposes, give the number and kind of stock watered

14. If water is used for domestic purposes, give number of families served 370,000 VISITORS/YEAR

15. If water is used for municipal purposes (a) give name of municipality Bryce Canyon National Park (b) If municipality serves areas outside of corporate limits, describe legal subdivision served and uses made of water

16. If water is used for other purposes, give a general description of such uses FIRE PROTECTION FOR FACILITIES AT RAINBOW POINT IN BRYCE CANYON NATIONAL PARK.

17. Give place of use by legal subdivisions for all uses described in paragraphs 11 to 15 inclusive
In Bryce Canyon National Park in unsurveyed land in what would be if surveyed sections 28, 29, 32, T. 38 S., R. 4 W., SLB&M, with point of diversion from distribtuion reservoir N. 1° 37' W., 9071.10' from NE corner, Sec. 4, T39S, R4W, SLB&M

18. The point where the water is returned to the natural channel, if returned, is situated

19. The water is used suplementally to the following rights

20. Construction of works was commenced* July 1941, and completed October 1946
*Date of first work subsequent to aproval of application. (work commenced under Application 14066)

21. Works were first used to convey water May 12, 1947

22. Water was measured by R. D. Pollock (NAME OF HYDROGRAPHER) Date April 29 & May 2, 1963

23. Water was measured by vessel, weir, reservoir capacity, ~~current~~ (STRIKE WORDS NOT NEEDED)

‡(Give sufficient data under "General Remarks" to enable State Engineer to check the water measurements. It is necessary that the results of a series of such measurements be given.)

08-27-1963: letter: re: application no. 20278; august 27, 1963

THE STATE OF UTAH
OFFICE OF STATE ENGINEER
SALT LAKE CITY

WAYNE D. CRIDDLE
STATE ENGINEER

RECEIVED
NPS SOUTHWEST REGIONAL OFFICE
AUG 29 1963

	Surname	Date
Regional Director		
Cons., Interp & Use		
Administration		
Resource Planning		
Public Affairs		
Program Coord.		
Operations		
Concessions		
Natural History		
Hist & Archaeology		
Ranger Services		

8/29

August 27, 1963

Mr. William E. Fields
P.O. Box 1827
Sante Fe, New Mexico

RE: Application No. 20278

Dear Mr. Fields:

Your Proof of Appropriation has been examined and is now returned for certain necessary changes. Please make the amendments or corrections that are outlined be low.

Par. 1: The nature of use as observed during a field investigation appeared to be domestic and fire protection rather than municipal. Inasmuch as the said domestic use and fire protection are interpreted as being included in the municipal use, I see no reason or need to file as application covering a change in nature of use. Please indicate use as Domestic and Other in this Paragraph.

Par. 5: Same comment as Par. 1.

Par. 14: Please show the maximum number of families or persons that have used the facility. According to Mr. Hallock there were 224,606 persons visiting the park this year as of the latter part of August with an increase of 16% over last year, plus the park personnel using the facility which would give a projected use of approximately 370,000 personnel which in effect would be a use in excess of what we usually compute for the flow you have claimed, therefore, the limitation would appear to be the rate of flow rather than the use.

Par. 16:It may be wise to show fire protection in this paragraph.

General Remarks: It is no longer necessary to show the plumbing and pumping facilities because the applicants usually alter them from time to time. The use shown in the picnic facilities and apartments also would be included in the domestic use, however, to show a beneficial use you must have already put the water to the use claimed.

L54 Bica

Encs: A working copy to give you an idea on how the certificate will be written. If you have any comments on whether or not I have a misinterpretation of what is meant in your proof or any other question, please feel free to let me know.

After completing the Proof as outlined above, the Certificates of the Appropriator and the Proof Engineer are to be executed by the proper parties and the executions acknowledged before a Notary Public.

You are allowed to and including October 31, 1963 within which to complete this Proof and return it to this office.

Yours very truly,

Glen J. Allen
Proof Engineer

GJA/er
cc United States of America
Nation Park Service
P.O. Box 1728
Sante Fe, New Mexico

Louis W. Hallock
Bryce Canyon National Park
Bryce Canyon, Utah

Encs. Proof
Work copy of Certificate

250-5-K-63

W Reply 5/16/63

Southwest Region
Santa Fe, New Mexico

MAY 8 - 1963

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Wayne D. Criddle
State Engineer
403 State Capitol
Salt Lake City, Utah

Dear Mr. Criddle:

Enclosed is a Form 49 for proof of appropriation of water at Yovimpa Springs area, Bryce Canyon National Park, under Application No. 20278 due in your office by May 12, 1963. There are also enclosed Sheets 1 and 2 of NP-BC-7102 which are 24" by 30" tracings on linen in black india ink which are a part of this proof.

Under your most recent regulations, we understand there is no filing fee for proofs of appropriation.

If additional information is required we will supply this upon request.

Sincerely,

(SIGNED)

Thomas J. Allen
Regional Director

Enclosures

cc: Director (2)
WODC (2)
Superintendent, Bryce Canyon
w/c prints

FORM 49

STATE OF UTAH

PROOF OF APPROPRIATION OF WATER

Do not fill out this blank until you have read carefully the Instructions in the body and on the back hereof.

Application No. 20278

1. Irrigation ☐ Domestic ☐ Stockwatering ☐ Municipal ☒ Power ☐ Mining ☐ Other Uses ☐.
2. The name of the appropriator is United States of America, National Park Service, Bryce Canyon National Park
3. The post-office address of the appropriator is P. O. Box 1728, Santa Fe, New Mexico
4. The quantity of water appropriated is 0.043 second-feet or *** acre-feet
5. The water is used each year for municipal purposes from January 1 to December 31
   other use period **** from *** to ***
   and stored each year (if stored) **** from *** to ***
   (MONTH/DAY) (MONTH/DAY)
6. The drainage area to which the direct source of supply belongs is: (LEAVE BLANK)
7. The direct source of supply is† Spring area at Yovimpa Springs (NAME OF STREAM OR OTHER SOURCE)
   which is tributary to Lower Podunk Creek, tributary to Paria River

†Note—State if water is diverted from a well, an underground drain or a tunnel. If the source is a stream, a spring, a spring area, or a surface drain, so indicate, giving its name, if named, and then designate the stream channels to which it is tributary, **even though the water may sink, evaporate, or be diverted before reaching said channels.** If water from a spring flows in a natural surface channel before being diverted, the direct source should be designated as a stream and not a spring.

8. The point of diversion from ~~stream, spring~~, spring area, ~~(name of stream or other source)~~ (STRIKE WORDS NOT NEEDED)
   is in Kane county, situated at a point*
   N. 49° 07' 08" W., 7205.58' from NE corner, Sec. 4., T. 39 S., R. 4 W., SLB&M, in unsurveyed land.

*NOTE—Locate the point at which water is first diverted from its source or channel with reference to the same tie corner used in the approved application. In case of storage on the natural channel, or diversion by means of dam, describe the point of intersection of stream bed with the center line of the impounding or diverting dam. If a spring area, describe the point at which water is collected and diverted therefrom, and under General Remarks give a description of closed traverse by metes and bounds of said area.

9. The diverting and carrying works consist of tile collecting pipe, 5,000 gallon concrete collecting sump, pump unit and galvanized iron pipe.
10. If water is used for irrigation purposes, give legal subdivisions of land irrigated
    Total area irrigated is ..... acres.
11. If water is used for power purposes, describe the type of power plant used
12. If water is used for mining purposes, give the name of the mine, the mining district, and the uses made of the water
13. If water is used for stockwatering purposes, give the number and kind of stock watered
14. If water is used for domestic purposes, give number of families served
15. If water is used for municipal purposes (a) give name of municipality Bryce Canyon National Park (b) If municipality serves areas outside of corporate limits, describe legal subdivision served and uses made of water
16. If water is used for other purposes, give a general description of such uses
17. Give place of use by legal subdivisions for all uses described in paragraphs 11 to 15 inclusive
    In Bryce Canyon National Park in what would be if surveyed sections 28, 29, 32, T. 38 S., R. 4 W., SLB&M, with point of diversion from distribtuion reservoir N. 1° 37' W., 9071.10' from NE corner, Sec. 4, T39S,R4W, SLB&M
18. The point where the water is returned to the natural channel, if returned, is situated
19. The water is used suplementally to the following rights
20. Construction of works was commenced* ..... 19..., and completed October 1946
    *Date of first work subsequent to aproval of application
21. Works were first used to convey water May 12, 1947
22. Water was measured by R. D. Pollock (NAME OF HYDROGRAPHER) Date April 29 & May 2, 1947
23. Water was measured by vessel, weir, reservoir capacity, or by‡ ~~weir~~ (STRIKE WORDS NOT NEEDED)

‡(Give sufficient data under "General Remarks" to enable State Engineer to check the water measurements. It is necessary that the results of a series of such measurements be given.)

GENERAL REMARKS

(See Instructions on page 4)

Water is collected in 900' of 4-inch tile pipe in gravel filled trenches along fault in water-bearing aquifer in spring area described as: beginning at spring area diversion where tile pipe conveys the water to a 5,000-gallon collection sump whence the northeast corner of sec. 4, T39S., R4W., SLB&M, bears S. 49° 07' 08" E., 7205.58'. At this sump there is a pump house which contains a John Bean pump driven by a 16 HP gasoline engine. This pump is of the high pressure plunger type and delivers the water against 825' of head through 7450' of 2" GI pipe to an elevated steel distribution reservoir of 5000-gallon capacity in unsurveyed land at the Rainbow Point area of Bryce Canyon National Park. The water is used for municipal purposes in that portion of the Park near Rainbow Point. Most of the visitors to the Park visit this area and use the facilities which are drinking water facilities and a comfort station. In addition we expect to add picnic areas and a two-unit apartment which will utilize this source of water. Construction of this water system and other facilities for water use was started during the summer of 1941 under Application 14066 filed February 11, 1941, approved May 15, 1941 by the State Engineer and completed in October, 1946. First beneficial use was made of this water in 1947. The State Engineer rejected proof for municipal purposes under Application No. 14066. On receipt of Certificate of Appropriation, Under Application 20278, the United States will withdraw application 14066 for the appropriation of the same water. Following are spot measurements of records on spring flow: June 11, 1948 - 0.0854 cfs; May 20, 1949 - 0.1335 cfs; May 6, 1959 - 0.00768 cfs; May 23, 1961 - 0.00668 cfs; June 18, 1962 - 0.033⅓ cfs. All of the above measurements were made by the container-stopwatch method. On April 29, 1963, a measurement by R. D. Pollock showed that the spring overflow filled a container 11.25" in diameter and 11.75" in height in 87 seconds. This time was the average for six fillings. This calculates to 0.00769 cfs. Our diversion pump on May 13, 1947, pumped into the storage tank at a rate of 0.0426 cfs averaged over a 4-1/2 hour period. On May 2, 1963, a measurement of pump flow was made by R. D. Pollock. The pump raised the water level in the 10.0' diameter tank 9-3/8" in 30 minutes for a calculated flow rate of 0.0341 cfs and in a second measurement raised the water level in the same tank 9-1/2" in 30 minutes for a calculated flow rate of 0.0345 cfs. The average of these is 0.0343 cfs which we divert from the collecting area and apply to beneficial use as described above.

NOTHING HEREIN OR IN THE WITHDRAWAL OF APPLICATION 14066 SHALL BE DEEMED TO CONSTITUTE A WAIVER OR RELINQUISHMENT BY THE UNITED STATES OF ANY RIGHTS, TITLE, PRIORITY, OR INTEREST IT MAY OTHERWISE HAVE TO THE USE OF THE WATER FROM THIS SPRING AREA OR ANY OTHER WATER FROM THE STATE OF UTAH.

Submission of proof attested by:

Applicant or his agent: ..... Date.....

Engineer: ..... Date.....

P. O. Address of Engineer: .....

(Fill in blank spaces but do not sign until proof has been submitted to the State Engineer and accepted as sufficient.)

CERTIFICATE OF APPROPRIATOR

STATE OF ~~UTAH~~ NEW MEXICO)
COUNTY OF SANTA FE) ss.

I, Thomas J. Allen being first duly sworn, certifies that he is the ~~[illegible]~~ Regional Director of Southwest Region, National Park Service who made an application to appropriate water from Yavapai Springs area in Kane County; that said application is filed in the State Engineer's office as No. 20278; that he, as appropriator, employed William E. Fields, Civil Engineer to compile information for the purpose of completion of proof of appropriation and that he or said Civil Engineer hereby accept and submit this written proof together with maps consisting of two sheets, No. 1 to 2 ~~[illegible]~~ that said facts and maps are herewith submitted, and that each and all items contained therein are true to the best of his knowledge and belief.

UNITED STATES OF AMERICA, NATIONAL PARK SERVICE

APPLICANT OR HIS AGENT

Thomas J. Allen, Regional Director, Southwest Region

Subscribed and sworn to before me this ..... day of ....., 19.....
(Seal)

My commission expires ....., 19.....

NOTARY PUBLIC

CERTIFICATE OF PROOF ENGINEER

STATE OF ~~UTAH~~ NEW MEXICO)
COUNTY OF SANTA FE) ss.

William E. Fields being first duly sworn, certifies that he was employed to prepare proof of appropriation under Application No. 20278, that the accompanying tracings were prepared from field notes and maps of a survey made by ~~[illegible]~~ A. van V. Dunn, civil engineer, in June, 1948 and checked by him in April, 1963; ~~[illegible]~~ ; that these tracings ~~[illegible]~~ and when combined with the written proof fully describe the method and extent of beneficial use of the water and that each and all of the items contained herein are true to the best of his knowledge.

William E. Fields PROOF ENGINEER Civil Engineer

Subscribed and sworn to before me this ..... day of ....., 19.....
(Seal)

My commission expires ....., 19.....

NOTARY PUBLIC

STATE ENGINEER'S ENDORSEMENTS

Dates

..... Application received in State Engineer's office; Approved .....
..... Proof of Appropriation due in State Engineer's office.
..... Written proof and maps received in State Engineer's office by .....
..... Written proof and maps returned for correction by .....
..... Corrected written proof and maps resubmitted, received by .....
..... Field checked by .....
..... Corrected written proof and maps examined and Certificate written by .....
..... Certificate of Appropriation issued (No. .....)
..... Maps profiles, and drawings are filed. .....

This written proof and the maps, profiles, and drawings pertaining thereto, are found to comply with the requirements of the Laws of Utah, and the same are hereby approved.

....., 19..... .....
State Engineer.

Proof of Appropriation
on Application No. .....

INSTRUCTIONS FOR COMPLETING AND SUBMITTING PROOF OF APPROPRIATION

Proofs of Appropriation of water must be prepared by a registered engineer or licensed land surveyor. Each proof shall consist of two parts: (a) a written proof and (b) a sheet or sheets of maps, and drawings. The proof must indicate that the water sought to be appropriated has been applied to beneficial use, as provided in the application. Any amendments necessary must be made and the proof returned to the office within the time allowed by the State Engineer.

WATER MEASUREMENT

Each written proof shall contain details of measurements of water applied to beneficial use. Measurements may be made by vessel, weir, meter, rated flume, reservoir capacity table or other accepted standard method of measurement; but not by floating chip or theoretical carrying capacity of conveying channel. Such details shall describe the method used in making the measurement, the date when made, the name of the person making the measurement and sufficient information to enable the State Engineer to compute the quantity of water measured in each case. This will include current meter notes and rating tables or field observation notes if other devices are used. Where the source of supply is of a fluctuating nature, a series of measurements should be submitted to show the variation in flow and the period or periods during which it is available. The maximum flow claimed cannot exceed that contained in the application.

LEGAL TIES

All ties to points of diversion, rediversion, return, etc., must be given by one course and distance or by rectangular coordinates with reference to a regularly established U. S. land corner if within a distance of six miles of such corner; otherwise to a mineral monument, or a federal triangulation or traverse monument. If not within a distance of six miles of a corner or monument, the point may be designated with reference to a prominent natural object. All bearings must be given to the nearest minute of arc.

DIVERSION AND CONVEYANCE WORKS

A concise description of the diverting and conveyance works shall be given under general remarks. This description must trace the water from the point of diversion to and including the place of use. The reservoir, if any, diverting dams, headgates, canals, flumes, and other related structures shall be included. This description shall be in the form of a concise word picture of the storage of water, if stored, its release, rediversion and conveyance to point of use.

USE OF WATER

An explanation of the nature and extent of all uses of the water must be made, including acres irrigated, household connections, number of stock, periods of use, etc.

PLACE OF USE AND ACREAGE

If the water is used for irrigation of a full legal subdivision, the various irrigated areas shall be described by 40-acre tracts of each section, township and range. Where less than a legal subdivision is irrigated, the number of acres within each legal subdivision of 40-acres must be given. No legal subdivision of forty acres shall be described if no part of it has been irrigated. In no instance is an irrigated area to be given by elimination of non-irrigated areas. The descriptions in the written proof are to conform strictly with the maps.

A description of the legal subdivisions embracing the "water using areas" shall be given in the blank spaces of items 10 and/or 16. If insufficient space is there provided, it may be given under general remarks or on added sheets with reference thereto in the paragraph. In addition to this statement, there shall appear under general remarks or on additional sheets attached thereto and made a part of the written proof, detailed descriptions of the irrigated areas as referred to in the above paragraph. Descriptions in the written proof by legal subdivision and fractional subdivision shall be prepared in the following manner:

SW¼NW¼, 9.6 acres in NE¼SW¼, 7.0 acres in NW¼SW¼ Sec. 15, T4S, R2E SLBM.

MAPS AND DRAWINGS

All maps must be submitted on sheets of tracing linen having dimensions of 24"x30" and a margin of at least 1½" on all sides, except in cases where the proof maps and drawings can be placed on not more than 4 sheets of tracing linen cut to the size of one page of this form. If form-size maps are used, the sheets must have a margin of at least 1¼ inches at the top and one-half inch on sides and bottom. For filing purposes the title block should appear on the lower right hand side of the page with the short side being the bottom. For the large maps, the title block must be in the lower right hand corner with the long side of the map being the bottom. All information directly pertaining to this proof must be in black India ink and all other information should be in contrasting color. The proof, when prepared with the smaller maps must not be folded in mailing or otherwise. It must be mailed flat with stiff cardboard protection against crushing. Larger maps should be rolled and sent in a mailing tube.

L54-BRCA

Assistant Regional Director Arnberger May 1, 1963

Regional Chief of Lands

Telephone Conversation, April 30, Regarding Final Proof, Application No. 20278, Yovimpa Springs, Bryce Canyon

With Civil Engineer Fields talked to Superintendent Halleck regarding measurements and final proof of Application 20278, Yovimpa Springs.

Mr. Halleck reported that Devery Pollack had measured the flow of the Springs on April 29 at 2:15 PM. The Springs flowed enough to fill a 5-gallon container in 87 seconds. The container used was a bucket 11.25" in diameter, 11.75" high, which computes to hold 5.01 gallons.

The measurements as of April 29 at 2:15 PM were 3.45 gallons per minute.

Mr. Halleck also reported that their usual method of pumping into the elevated storage tank at the Springs is to put enough gasoline in the motor to run for approximately 1 hour. The rate of production is about 1,000 gallons per hour.

Mr. Halleck will mail the results of the flow measurements to this office tomorrow. On May 1 or 2 Mr. Pollack will follow Civil Engineer Fields' instructions and will measure the diameter of the tank, the depth of water and let the pump (supposed to produce 15 gallons per minute) run for about one-half hour or 1 hour. At the end of this known period of pumping they will again measure the amount of water delivered to the elevated storage tank and will then be able to compute the amount of water the pump can deliver to the tank. Superintendent Halleck will wire this information to this office.

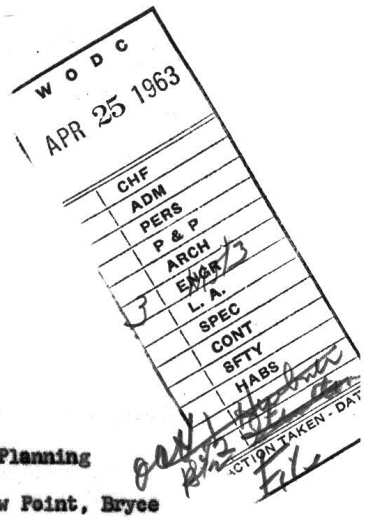
It was mutually agreed that if we can produce 15 gallons per minute into the elevated tank, Mr. Fields will prepare the necessary proof required for final certificate from the State.

If the pump does not produce 15 gallons (say 10 gallons or less) Mr. Halleck will also advise us and we will then be in a position to call the State Engineer, explain the measurements taken, give the date of the measurements, and then request an extension of time prior to May 12, if necessary.

JOHN E. KELL

John E. Kell

cc: WODC (2)



Southwest Region
Santa Fe, New Mexico

L54
BRCA

AIR MAIL

APR 24 1963

Memorandum

To: Superintendent, Bryce Canyon

From: Assistant Regional Director, Resource Planning

Subject: Measurement of Yovimpa Springs, Rainbow Point, Bryce Canyon National Park

You are aware that proof of appropriation of our Application 20278 for Yovimpa Springs in your area is due in the State Engineer's office by May 12. The necessary maps and detailed drawings are being prepared by Civil Engineer Fields of this office.

We have plans of the water works and storage tanks and we have also the comprehensive water use figures which you have supplied during the past few years. However, we lack one important item and that is the actual flow of the Springs as measured by a qualified man so that proof of beneficial use can be submitted under State Engineer requirements.

Would you please have your Supervisor of Maintenance Construction (who has made some very accurate water measurements in the past) measure the flow in gallons per minute of the Spring preferably at a peak period during the day. If you will do this and send the results to this office as soon as possible, we will furnish the State Engineer's office with the necessary proof of beneficial use.

Along with the measurement we need the method of measurement described in detail. If a container and a stop watch are used, for instance, we should have the exact dimensions of the container and the time element to the nearest second. If other methods are used, these should be described in detail.

[SIGNED]

Leslie P. Arnberger

cc: WODC (2)
Director (2)

Heubner
PESmith

April 12, 1963

L-54

Memorandum

To: Regional Director, Southwest Region

From: Chief Engineer, WODC

Subject: Proof of Appropriation of Application No. 20278,
Yovimpa Springs - Bryce Canyon National Park

Enclosures to your letter of March 27, 1963, and the available information in this office on the above subject have been studied, and as a result, we feel that the development of the springs at the 15 gpm rate is adequate for future development.

FILE COPY

SIGNED

P. E. Smith

cc:
Supt., Bryce Canyon
Proj. Supv. Larson
PESmith

Informational: Heubner, Stratton, Richey

ADHeubner:mq

131-4-5-6 3

Bryce Canyon

w/copy 4/12/63 D. Gurr

Southwest Region
Santa Fe, New Mexico

L54
BRCA

MAR 2 7 1963

Memorandum

To: Superintendent, Bryce Canyon

From: Acting Assistant Regional Director, Resource Planning

Subject: Proof of Appropriation of Application No. 20278, Yovimpa Springs, Bryce Canyon National Park

You have received a copy of Mr. Reed's memorandum of March 21 concerning the above subject. This memorandum transmitted a notice from the State Engineer of Utah dated March 11, 1963, advising that proof of appropriation on our application for the Springs is due by May 12, 1963.

This notice was sent to the Washington Office because their address was on the original application. Would you analyze the present use of the Springs, determine the actual measured flow at this time and make a prediction as to eventual maximum use of the water in this area. At the same time we would like your recommendation whether we should attempt to make proof at this time or if we should request a further extension of time. In this particular case we should be realistic about the proposed use because from our experience the Spring's flow has decreased considerably during the past few years.

During your analysis of the situation and prior to the submission of your recommendation, you should consider the following pertinent facts:

1. Application No. 20278 was for 0.10 cfs or 44.88 g/m.

2. The existing pump at the Spring house is capable of pumping only 15g/m or approximately 1/3 of our requested water right.

3. We have no record of measurement in this office taken since the early 1950's to indicate that the spring has flowed more than 15g/m.

4. We are certain that you are aware, if a proof for more than 15g/m is required, a pump must be installed capable of producing and delivering to the storage tank the amount of water for which it is determined final proof will be made.

5. Proof can only be made on what we are actually capable of using and producing. At some point prior to granting a certificate by the State Engineer, a representative of this office will actually come to the park, make measurements, observe the mechanical installation and actually conduct a measurement to determine that we can produce the amount of water applied for.

The cost of a larger pump, if needed, would necessarily be paid for from your regular B & U Maintenance Account.

By copies of this memorandum we are requesting the Chief, WODC to make an analysis of the proposed development in this area and make recommendations whether the present capacity of 15g/m will be sufficient and if we should make final proof at this time or request an extension of time.

As you can see, if it is determined that proof at this time is necessary, immediate steps will have to be taken to prepare this proof. Proof of appropriation must be made by a registered engineer or land surveyor and in the past the State Engineer of Utah has accepted work done by Civil Engineer Fields of this office. It should also be noted that a request for extension of time in no way guarantees that it will be granted and that such a request is accepted by a showing of diligence before a hearing of the State Engineer.

JOHN E. KELL
John E. Kell

cc:
Director (2) ✓
Chief, WODC (2)

03-27-1963: memorandum: proof of appropriation of application no. 20278; march 27, 1963

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
Southwest Region
Santa Fe, New Mexico

W O D C
APR 1 1963
CHF
ADM
PERS
P & P
ARCH
ENVR
L. A.
SPEC
CONT
SFTY
HABS
INITIAL & DATE

IN REPLY REFER TO:
L54

Memorandum MAR 2 7 1963

To: Chief, WODC

From: Acting Assistant Regional Director, Resource Planning

Subject: Proof of Appropriation of Application No. 20278, Yovimpa Springs, Bryce Canyon National Park

Our records do not indicate that you received a copy of Chief, Branch of Water Resources Reed's memorandum of March 21 with an enclosure dated March 11 from the State Engineer of Utah. We have enclosed copies for your information.

We have also enclosed copies of our memorandum to the Superintendent explaining what must be done prior to May 12 if we are to make final proof by that period.

We can ask the State Engineer for an extension of time, but all State Engineers are becoming more and more reluctant to give extensions of time without adequate justification.

Based upon the meager information which we have available, we think it would be possible to obtain proof and a final certificate on 15g/m.

The nature of this spring is such that the runoff and flow is usually influenced by snowfalls and seasonal variations. It may be possible that some additional water could be gathered by improving the collection system. We are not certain that the additional amount of water we might obtain would justify the expense involved.

We need your representatives to review the enclosed correspondence and advise us if we should make proof on the basis of the 15g/m which we believe we could obtain and, if in your opinion, that quantity of water will be sufficient for current and future development at Yovimpa Springs.

John E. Kell

Enclosures

cc: Director (2)
Superintendent, Bryce Canyon

WR copy
EWR
3/22
LWR

March 21, 1963

L54-RLW

Memorandum

To: Regional Director, Southwest Region

From: Chief, Branch of Water Resources

Subject: Status of Application No. 20278, Yovimpa Springs, Bryce Canyon

The enclosed letter from the Utah State Engineer regarding the above application and a form for reinstatement and extension of time has been received in this Office.

A check of the files here reveals no correspondence on this subject later than April 5, 1960, when Mr. Dunn forwarded a copy of an extension of time to you and recommended a special investigation to determine the potential spring yield and ultimate demand prior to obtaining the final license. Our files, however, may be incomplete and I hope your office can furnish the necessary proof of appropriation before the May 12, 1963, deadline. If not, an extension of time will have to be requested in accordance with the State Engineer's letter.

For your information, a copy of Mr. Dunn's memorandum of April 5, 1960, is enclosed and also a copy of his memorandum of March 10, 1960, in which he recommended procedures necessary to obtain a municipal right to water from Yovimpa Spring.

In your correspondence with the State Engineer please request that he correspond directly with your office rather than Washington. This procedure would avoid a delay of a week or more.

SIGNED

E. W. Reed

Enclosures 3

cc:
Superintendent, Bryce Canyon, w/c encs.
Mr. Reed

GWRobertson:EWR:ljc

Form 18

THE STATE OF UTAH
OFFICE OF STATE ENGINEER

WAYNE D. CRIDDLE
STATE ENGINEER

SALT LAKE CITY
March 11, 1963

L54

RLW

U. S. National Park Service
Dept. of Interior
Washington 25, D. C.

Gentlemen: RE: APPLICATION NO. 20278

To appropriate water in Utah you must receive approval of an application, complete the intended development work and submit proof that the water has been put to beneficial use. Upon submission of satisfactory proof, a certificate will be issued, which is your evidence of a water right.

Our records indicate that you have not made proof of appropriation or of change on your application. This is due May 12, 1963 .

Proof must be prepared by a registered engineer or land surveyor and received in this office on or before the above proof due date.

Failure to make proof by the above date shall cause the application to lapse. Blank forms for submitting proof will be sent upon request.

If proof cannot be submitted at this time, an extension of time may be requested by completing the enclosed form and submitting the request in affidavit form, on or before the proof due date. Since 14 years, or more, have elapsed since approval of the application, your request for extension of time can only be granted after publication of notice of such request and a hearing before the State Engineer. The fee for filing this request is $25. Submission of a request for an extension of time in no way guarantees that it will be granted. An extension can be granted only after the applicant has made a showing of diligence at the hearing before the State Engineer.

Requests should not be made for unreasonable periods of time beyond that needed to complete the appropriation and proof.

Yours truly,
Wayne D. Criddle

ADDRESS ALL COMMUNICATIONS TO:

STATE ENGINEER
403 State Capitol
Salt Lake City 14, Utah

fs

PROOF DUE-ADV. REQUIRED

WRCofy
Gg
VH

L-54

Region Three
Santa Fe, New Mexico

1960 MAR 28 AM 8 41

3/22/60

Memorandum

To: Regional Director
Through: Regional Chief of Operations

From: Regional Chief of Lands and Civil Engineer

Subject: Hearing at Kanab, Utah, March 17, Application 20278, Yovinga Springs, Docket No. 1, Bryce Canyon

We departed Santa Fe at 12:00 noon on March 15 enroute to Kanab, Utah. The purpose of the trip was to attend the hearing called by the State Engineer of Utah on our application 20278 for extension of time to prove beneficial use of Yovinga Springs in the Rainbow Point area at Bryce Canyon National Park. We arrived at Holbrook, Arizona at 6:10 p.m. and remained there overnight.

Enroute to Kanab on March 16 we stopped at Glen Canyon National Recreation Area, Page, Arizona and discussed land matters with Superintendent Eden. District Range Manager, B.L.M., M. H. Galt was present and included in the discussion. This is the subject of a separate report.

The following morning, March 17, we met with Mr. R. E. Higginson, Appropriations Engineer of the State Engineer's Office, State of Utah. The hearing was held at the courthouse, Kanab, Utah. Present were Mr. Higginson, Superintendent Hallock and Chief, Maintenanceman Pollock, Bryce Canyon. Mr. Zell and Mr. Fields represented the Region Three Office.

Proof of beneficial use for the Yovinga Springs area had been requested May 12, 1959. At that time we requested an additional extension of time in order to make this proof for the following reasons:

1. Because of the drought the spring was flowing considerably below normal at that time.

2. Additional work is being planned for that area in the Mission 66 program and we requested sufficient time to complete this work.

These factors were presented to Mr. Higginson who advised us he would recommend to the State Engineer an extension of time be granted to May 12, 1963. He was not able to grant us further time because our 10-year period will be up on that date and an extension of time after 10 years requires newspaper publication and the applicant must bear the cost of advertisement. It also requires a public hearing in the State of Utah.

We departed Kanab at 11:40 a.m. for Zion National Park.

(SIGNED)

John H. Bell
Regional Chief of Lands

(SIGNED)

William S. Fields
Civil Engineer

Copy to: Director (2) ✓
Supt., Bryce Canyon
Chief, WORC (2)

Approved for distribution MAR 2 2 1960

(SIGNED)

Date:

Thomas J. Allen, Regional Director

FORM LIB 5-57 10M

THE STATE OF UTAH

OFFICE OF STATE ENGINEER

SALT LAKE CITY

March 22, 1960

Fr Lee
Yavimpa Spring
Bryce Canyon
Docket 1

U. S. National Park Service
Dept. of Interior
Washington 25, D. C.

Gentlemen:

RE: APPLICATION No. 20278

Request for Extension of Time in which to submit Proof of Appropriation or Proof of Change contemplated by the above application has been considered and the time for receiving proof is hereby extended from May 12, 1959 to May 12, 1963 inclusive, end 14-yr. period.

Yours truly,

Wayne D. Criddle

ADDRESS ALL COMMUNICATIONS TO:
STATE ENGINEER
403 STATE CAPITOL
SALT LAKE CITY 1
UTAH

see memo 4/5/60

gm

EXTENSION GRANTED

P. S. Although this extension is granted in accordance with the provisions of the law, I earnestly recommend that you proceed to prepare and submit proof at the earliest possible date. One cannot foresee what contingencies might arise in the future; the present possession of your certificate might stand you in good stead.

WR copy
L54-GEL
WRS

MAR 11 1960

Mr. Wayne D. Criddle
State Engineer
Office of the State Engineer
Salt Lake City, Utah

Re: Hearing of March 17, 1960 at
Kanab, Utah - Water Right
Application 20276, Bryce Canyon

Dear Mr. Criddle:

Notices of January 26 and March 7 concerning the subject hearing have been received.

The matter was referred to Mr. Thomas J. Allen, Regional Director, Region Three Office of this Service. We understand that he will be represented by Messrs. John K. Kell, Regional Chief of Lands, William Fields, Civil Engineer, and Louis W. Hallock, Superintendent of the Park, or another representative for the latter.

Sincerely yours,

(SGD) JACKSON E. PRICE

Jackson E. Price
Assistant Director

Copy to: Regional Director, Region Three
Superintendent, Bryce Canyon
Chief, WODC (2)
Mr. Dunn

AvVDunn:lct 3-10-60

L54-OBL

March 10, 1960

Memorandum

To: Regional Director, Region Three

From: Chief, Water Resources Section

Subject: March 17th Hearing, Request for Extension of Time to Perfect Rights to Waters of Yovimpa Spring, Application 20278, Bryce Canyon

By memorandum of February 29, Mr. Miller has asked the Chief, WODC, for an opinion as to the maximum quantity of water needed from Yovimpa Spring, or for the Rainbow Point Area. That quantity is a factor to consider in the case, but it is not necessarily the controlling factor because the water right is for water for municipal purposes. The certificate can be obtained on the basis of available supply and water system capacity.

The spring flow was measured at 0.0854 s.f. and 0.1335 s.f. at two dates in 1948 and 1949, and the claim is to 0.10 sec.ft., or 44.88 gpm. The spring flow has decreased, according to reports, either due to drought or increasing consumption by a tree in the spring area. Unless replaced recently, the John Bean pump has capacity of only 15 gpm, or one third of the former spring flow. The municipal right to 44.88 gpm may be perfected if a pump of that capacity is installed, and simultaneous spring flow and pump delivery of that amount are measured and reported in proof. The right to any lesser amount may be perfected on proof of maximum, but smaller spring flow or pump capacity.

The question is whether present spring flow or pump capacity, whichever is less, is adequate for all anticipated municipal uses in the Park which can be supplied from that source -- whether at Rainbow Point, or at that and other proposed developments within a practical pipe length. Further extensions of time are only necessary if you wish to increase or wait for natural increase in the spring flow, or to install a larger pump, to satisfy maximum need which WODC has been requested to estimate.

SIGNED

A. van V. Dunn
Chief, Water Resources Section

Copy to: Superintendent, Bryce Canyon
Chief, WODC (2)
Mr. Dunn

AvVDunn:lct

03-07-1960: letter: re: application no. 20278; march 07, 1960

THE STATE OF UTAH
OFFICE OF STATE ENGINEER
SALT LAKE CITY

WAYNE D. CRIDDLE
STATE ENGINEER

1960 MAR [illegible] AM 9 39

March 7, 1960

L54

U. S. National Park Service
Dept. of Interior
Washington 25, D. C.

"Bryce Canyon

Gentlemen: RE: APPLICATION NO. 20278

This is to remind you of the meeting to be held on the above application at 10:00 a.m. Thursday, March 17, 1960, County courthouse, Kanab, Utah

The applicant or his representative must attend this meeting, be prepared to show diligence, and answer any protests.

Yours truly,

Gretchen McClintock
SECRETARY, APPLICATIONS

GM/s

RCA

WRC

RECEIVED
Chief Clerk's Office
NATIONAL PARK SERVICE
1960 MAR 7 PM 2:46

March 3, 1960

L-34

Memorandum (AIR MAIL)

To: Regional Director, Region Three

From: Acting Supervisory Engineer, WSDC

Subject: Anticipated Water Needs from Yovimpa Spring, Bryce Canyon National Park

The following comments are in answer to Mr. Miller's memorandum of February 29.

The future visitation to Rainbow Point Area, where the water is supplied from the Yovimpa Spring, is anticipated to be 1200 persons per day. The present development consists of a museum, a 36-car parking lot, and one comfort station. A picnic area consisting of 30 to 40 units is planned in the future, and another 30-car parking lot. A water supply of 6000 gallons per day, or 4.2 gpm, will be required.

At present the Spring flow is 3 gpm or 4300 gallons per day. Improvements in the Spring collection system and increased size of the collection reservoir could probably make up the extra 1700 gallons per day required in the future.

Signed

Richard R. Montgomery
Acting Supervisory Engineer

In duplicate

Copy to: Chief of D&C
Supt., Bryce Canyon
Chief, Water Resources Section, WASO
} Air Mail

IN REPLY REFER TO:
L-54

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
Region Three
Santa Fe, New Mexico

FEB 29 1960

Memorandum

To: Chief, Western Office of Design and Construction

From: Regional Chief of Operations

Subject: March 17th Hearing, Request for Extension of Time to Perfect Rights to Waters of Yovimpa Spring, Application No. 20278, Bryce Canyon

We have received a notice from the State Engineer that a hearing will be held March 17, 1960, at 10:00 a.m., in connection with our request for an extension of time.

Mr. Kell and Mr. Fields will represent the Regional Office at the hearing.

As you know, Yovimpa Spring is our only source of water for the comfort station. The spring fluctuates considerably; and when it was measured last May 4 by Messrs. Bean, Fields, and Kell, the flow at that time was an average of 3 g.p.m. The present pump will only deliver 15 g.p.m., providing the water is available.

It is expected the State will grant additional time to perfect our rights at the March 17 hearing. However, we would like to have an expression from your office regarding our maximum needs in g.p.m. in the event we are unable to obtain the amount of water requested in our request for an extension of time.

Attached for insertion in your Docket No. 2, Bryce Canyon National Park, is a copy of the notice of hearing from State Engineer's Office in Utah. We are sending a copy to Superintendent, Bryce Canyon, and Director for insertion in their dockets.

Jerome C. Miller
Regional Chief of Operations

Attachment

In duplicate

Copy to: Director (2) w/attachment
Supt., Bryce Canyon w/attachment

RECEIVED WITH MEMO OF

WR copy 2
L54-OBL
WR

February 2, 1960

Memorandum

To: Regional Director, Region Three

From: Chief, Water Resources Section

Subject: Hearing on Request of April 24, 1959, for Extension of Time to Perfect Rights to Water of Yovimpa Spring under Application 20276, Bryce Canyon

Attached is a copy of notice of hearing called for March 17 in connection with the subject request. You should have received a copy directly because the request was signed by the Regional Director.

I have not participated in a hearing, since that system has been adopted, so I can not offer suggestions. I seem to recall that Mr. Fields has participated in one hearing and been on military leave during one similar hearing during the past year. We hope that all desired representatives will be able to be present in this case, and present the type of justifications that are needed to obtain the extension and eliminate any protests.

SIGNED
A. van V. Dunn
Chief, Water Resources Section

Attachment

Copy to: Superintendent, Bryce Canyon
Chief, WODC (2)
Mr. Dunn

AvVDunn:let

THE STATE OF UTAH
OFFICE OF STATE ENGINEER
SALT LAKE CITY

WAYNE D. CRIDDLE
STATE ENGINEER

January 26, 1960

L54
DM Lee
DM Price
DMR

United States of America
Dept. of the Interior
National Parks Service
Washington 25, D.C.

Attention: A. van V. Dunn, Chief Water Resources Section

RE: APPLICATION NO. 20278
Yeramya Spring - Bryce Canyon

This is to notify you of a meeting to be held on the above application at 10:00 a.m. Thursday, March 17, 1960, County Courthouse, Kanab, Utah.

The applicant or his representative must attend this meeting, be prepared to show diligence, and answer any protests.

Please calendar this date for your future attention.

Yours truly,

Gretchen McClintock
SECRETARY, APPLICATIONS

GM/s

Reg. 3

RECEIVED WITH MEMO OF 2/29/60

WK copy

L-54

Region Three
Santa Fe, New Mexico

May 28, 1959

Memorandum

To: Director

From: Regional Chief of Lands

Subject: Application for Extension of Time, Water Right Application 20278, Yovimpa Springs, Docket No. 1, Bryce Canyon

Mr. Dunn is correct in assuming that this office did not receive a copy of Gretchen McClintock's letter of May 11 regarding Bryce Canyon Yovimpa Springs Application 20278.

We have filed a copy in our Docket No. 1 as suggested by Mr. Dunn. It is assumed that the Superintendent, Bryce Canyon and the Chief, Western Office of Design and Construction have made similar insertions in their dockets since copies were furnished to both offices with a copy of the letter. Therefore, we are not duplicating or distributing additional copies of the May 11 letter from the State Engineer's office. As soon as possible we shall obtain additional information regarding the flow of Yovimpa Springs at Bryce Canyon. We do not plan to write to the State Engineer making a formal request to change the address as suggested in the second paragraph of Mr. Dunn's memorandum. We do, however, feel that such action would be advisable since it is evident in some cases correspondence is being misdirected.

JOHN E. KELL

John E. Kell
Regional Chief of Lands

In duplicate

Copy to: Supt., Bryce Canyon
Chief, WODC (2)

L54-GBL WR Copy

May 19, 1959

Memorandum

To: Regional Director, Region Three

From: Chief, Water Resources Section

Subject: Application for Extension of Time, Water Right Application 20278, Yovimpa Spring, Docket 1, Bryce Canyon

It is not clear whether you also received a copy of the attached letter, in duplicate, of May 11 from the Utah State Engineer's Office concerning your request of April 24 for the extension of time. Please file a copy in the docket and another in any file you may maintain of Utah water laws.

We should be advised if you did not receive a similar letter in direct reply to your request. It appears to be a form letter of which unrecorded distribution to different addressees is possible. However, we may have to make a formal request from this office to change the address of applicant in a number of cases if you did not receive a copy.

I suggest the duplication in your letter file because of its general application. It should also serve as a warning that the State is going to require more strict compliance with the prescribed diligent prosecution of developments and water use, and place the applicant on the defensive in such matters. You should gear the priority of your MISSION 66 developments to expedite construction, and maintain records of increasing annual water use as a justification for not making proof when more water is authorized and needed in the future.

SIGNED

A. van V. Dunn
Chief, Water Resources Section

Attachments 2

Copy to: Regional Director, Region Two } Detached
Superintendent, Dinosaur }
Superintendent, Bryce Canyon, w/c attachment
Chief, WODC (2), w/c attachment
Mr. Dunn

AvVDunn:let

154-GBL

May 12, 1959

Memorandum

To: Regional Director, Region Three

From: Chief, Water Resources Section

Subject: Request of April 24 for Extension of Time, Yovimpa Springs, Docket 1, Bryce Canyon

Our copy of your request is being filed in the upper part of Docket 1. I assume that the extension of time will be granted, although I note that Messrs. Fields and Kell were unable to report any more development or increasing use than I have been doing for several years.

The miner changes in wording from my recent requests, to that submitted this year suggest some difference in evaluation which needs clarification before next year. The only reconstruction which has been considered to date was to replace the 15 gpm (0.033 sec.ft.) pump with one having capacity of 45 gpm (0.1003 sec.ft.). The plan was based on the facts that a spring flow of over 0.1 sec.ft. was developed, and the claim to 0.1 sec.ft. was made in Application 20278, with priority of October 19, 1948. We prepared to make proof in 1949 or 1950 on the basis of measured spring flow of 0.1335 sec.ft., but the pump could not deliver the required 0.1000 sec.ft. We have never filed a claim for 0.1335 sec.ft.

Application 20278 replaced Application 14066, with priority of February 11, 1941, for only 0.01 sec.ft. The flow of 0.01 sec.ft. was equivalent to 6,463 gallons per day. The existing 15 gpm pump could deliver that flow during about seven hours and 20 minutes, or a normal work day, if storage of about 5,000 gallons were provided at the spring.

I have always assumed that the later Application 20278 for 0.1 sec.ft., or 64,632 gallons per day was in excess of ultimate needs, but that the proposed 45 gpm pump would only be operated during about eight hours, to deliver 21,544 gallons per day for actual use. However, the application now permits proof and license on any quantity between 6,463 gpd with the existing pump operating for 24 consecutive hours, and 64,632 gallons per day if a 45 gpm pump is installed and operated for 24 consecutive hours.

All reports which I have received to date indicate that the ultimate water use from Yovimpa Spring will only be between 4,000 and 5,000 gallons per day. Since this is a municipal right, and not a domestic right, it is only necessary to show by measurements that there is the spring flow of 6463 gpm (0.01 sec.ft.), and that the existing pump can deliver it, if that is all that will be needed. That pump will actually deliver 21,600 gallons per day, and the proof could be for that amount, which is approximately what would be obtained with the suggested 45 gpm pump operating eight hours per day.

The ultimate development dependent on Yovimpa Springs may have been enlarged since 1950, under MISSION 66, but it could be enlarged considerably without increasing the original water demand of 6,463 gpd beyond the 21,600 gpd which can now be supplied. (You have suggested that the spring flow has decreased since 1950 due to greater local consumption by native vegetation, leakage in the diversion works, or drought conditions.) Proof could be made on 0.01 sec.ft., or 21,600 gallons per day with existing facilities, if the measurements were made.

If MISSION 66 now requires an ultimate use of 0.1 sec.ft., the question is whether that is the rate of diversion for all or part of the day at the peak of the tourist season. If 64,632 gpd are needed, and the spring flow can still be provided by removing vegetation and repairing the collecting system, a 45 gpm pump may be needed before proof can be made for license at that rate of delivery. However, the application and permit could also be amended to claim the same quantity by increased storage at the spring and place of use, gravity diversion capacity of 0.1 sec.ft., but a lessor pump capacity for storage of several hundred thousand gallons at the place of use.

I think it has been fine to claim the water by rate of diversion to date because it offers a maximum daily total. However, we should now be able to consider a lower possible total and rate. This is the problem which should be studied before the anticipated extension of time expires, a year hence. The ultimate water demand, and method for providing it, should be agreed upon by the Regional Staff, Superintendent, and WODC. It may be desirable for me to review the analysis, conclusions, and resulting applications or proofs before the latter are filed with State Engineer.

A SIGNED Dunn
Chief, Water Resources Section

Copy to: Superintendent, Bryce Canyon
Chief, WODC (2)
Mr. P. Miller
Mr. Dunn

AvVDunn:lct

THE STATE OF UTAH
OFFICE OF STATE ENGINEER
SALT LAKE CITY

May 11, 1959

WAYNE D. CRIDDLE
STATE ENGINEER

Bryce Canyon
Docket 1

Price
D. E. Lee

U. S. of America
National Park Service
Interior Building
Washington 25, D. C.

Gentlemen: Bryce Canyon - Docket 1

RE: APPLICATION NO. 20278

Your request for an extension of time has been received; it is in proper form and has been attached to the file for future processing.

It is now the policy of this office to invite each applicant requesting an extension of time to a hearing held at the county courthouse of the county in which the source of supply is located. At this hearing any protests will be heard. The applicant or his representative must attend this meeting, show diligence, and answer any protests. Everything for one county is scheduled at the same time.

Until your particular county is scheduled for hearing, your request for an extension will be attached to the file and the application will be considered in good standing. You will be notified of the date and time of hearing.

Yours truly,

Gretchen McClintock

Gretchen McClintock
SECRETARY, APPLICATIONS

GM/s

Reg. 3

WR Copy

April 28, 1959

Memorandum (AIR MAIL)

To: Regional Director, Region Three

From: Chief, Water Resources Section

Subject: Extension of Time, Yovimpa Springs Application 20278, Bryce Canyon

Attached is copy of letter of April 24 from State Engineer, and copy of my memorandum of March 18, as advised by teletype.

The State Engineer also sent the attached copy of the form for extension of time, but it is only printed on one side and cannot be used unless the data for back of sheet are copies from forms now in Docket 1.

The State Engineer appears to expect request for extension of time, and to grant it, if the general form of previous requests is followed except for added information you may be able to provide concerning increasing water use.

It is too late to request additional copies of form before filing. An apeco, thermofax, or similar copy should be made until duplicates can be made for the docket assemblies.

SIGNED

A. van V. Dunn
Chief, Water Resources Section

Attachments 3

Copy to: Superintendent, Bryce Canyon
Chief, WODC
Mr. Dunn

AvVDunn:lct

Req TT 4-29 advised that extension of time was requested (in mail) 4/24 @D

04-24-1959: letter: re: application no. 20278; april 24, 1959

THE STATE OF UTAH
OFFICE OF STATE ENGINEER
SALT LAKE CITY

WAYNE D. CRIDDLE
STATE ENGINEER

April 24, 1959

L54

United States of America
Department of the Interior
National Parks Service
Washington 25, D.C.

Attention: A. van V. Dunn, Chief, Water Resources Section

Gentlemen: Re: APPLICATION NO. 20278

It is noted from our file that you only have 14 more days in which to submit proof before the lapsing of your application.

It is extremely dangerous to permit such a lapsing to occur so this letter is sent to remind you not to fail to have your proof, or a request for extension of time, filed in this office before the proof due date of your application which is May 12, 1959.

Enclosed for your convenience is a form for requesting an extension of time in case you have misplaced the one heretofore sent to you.

Yours truly,
Wayne D. Criddle
Wayne D. Criddle
STATE ENGINEER

HCL/ js
Encl: Request for
Extension of Time

Reg. 3

04-24-1959: request for reinstatement and extension of time; april 24, 1959

FORM 25 SM 5-57

IN THE OFFICE OF THE STATE ENGINEER OF THE STATE OF UTAH

REQUEST FOR REINSTATEMENT AND EXTENSION OF TIME

(Strike words not needed)

(Before Fourteen Years)

APPLICATION NO._____
STATE OF UTAH)
COUNTY OF_____) ss

_____, being first duly sworn says that he is the owner or the agent of the owner of the above numbered Application; that he knows of his own knowledge that the construction of works as contemplated by the Application was actually commenced within _____ months after the date of approval of the Application, and that the work has since been prosecuted with diligence.

The nature, extent and approximate cost of construction work done to this date, together with a detailed statement of use to which the water has been put, is as follows: (Describe briefly the type and extent of construction, whether impounding or diversion dam, or diverting channels and give the cost of construction. Indicate what part of the water, if any, covered by this Application has been put to beneficial use, the number of acres irrigated, etc. Mere statement as to general character of works, costs and use will not answer,-- give details sufficient for one to determine what has actually been done.)

The nature, extent and estimated cost of construction remaining to be done to complete the work in accordance with the Application follows: (Describe with same details as required last above.)

WRG

L-54

Region Three
Santa Fe, New Mexico

April 24, 1959

Wayne D. Criddle
State Engineer, Utah
403 State Capitol
Salt Lake City 14, Utah

Dear Mr. Criddle:

Enclosed is a request for extension of time (before 14 years), Application 20278, Yovimpa Springs, Kane County, Bryce Canyon National Park. I believe you have been informed that only recently, December 1, Civil Engineer William E. Fields entered on duty in this office. As rapidly as possible, Mr. Fields, under my direction, will assume the responsibility of working closely with your office in all of the various water right applications and proof of beneficial use in Utah. You may remember that Regional Chief of Lands John E. Kell introduced Mr. Fields to you Thursday, April 9, in your office.

The water from Yovimpa Springs is our only source of water to operate the comfort station used by the public at Rainbow Point, Bryce Canyon. Approximately two years ago, because of the drought, there was insufficient water from Yovimpa Springs to flush toilets and it was necessary to close this comfort station to the public.

Since the services of Civil Engineer Fields are now available, we will pursue these matters in all Utah areas as rapidly as possible.

Sincerely yours,

(SIGNED)

Hugh M. Miller
Regional Director

Enclosure

Copy to: Director (2) w/attachment ✓
Supt., Bryce Canyon w/attachment
WODC w/attachment

IN THE OFFICE OF THE STATE ENGINEER OF THE STATE OF UTAH

REQUEST FOR ~~REINSTATEMENT AND~~ EXTENSION OF TIME

(Strike words not needed)

(Before Fourteen Years)

APPLICATION NO. 20278

STATE OF UTAH)
) ss.
COUNTY OF KANE)

Hugh N. Miller, being first duly sworn says that he is the ~~owner~~ agent of the owner of the above numbered Application; that he knows of his own knowledge that the construction of works as contemplated by the Application was actually commenced ~~prior to~~ prior to the date of approval of the Application, and that the work has since been prosecuted with diligence.

The nature, extent and approximate cost of construction work done to this date, together with a detailed statement of use to which the water has been put, is as follows: (Describe briefly the type and extent of construction, whether impounding or diversion dam, or diverting channels and give the cost of construction. Indicate what part of the water, if any, covered by this Application has been put to beneficial use, the number of acres irrigated, etc. Mere statement as to general character of works, costs and use will not answer,—give details sufficient for one to determine what has actually been done.)

Water is collected in at least 900 feet of 4 inch tile pipe, delivered by gravity to 5000 gallon concrete sump, whence 15 g.p.m. pump diverts said water through 7450 ft. of 2 inch G.I. pipe to 5000 gallon steel distribution reservoir whence municipal use at Rainbow Point, Bryce Canyon National Park is provided by gravity through distribution pipe system. Cost of water system to date is $8,300.00.

The nature, extent and estimated cost of construction remaining to be done to complete the work in accordance with the Application follows: (Describe with same details as required last above).

The existing 15 g.p.m. pump is to be replaced with a 50 g.p.m. pump in order that we might divert the entire amount of water available. Because the springs for the past several years have not had sufficient water fully to utilize the 15 g.p.m. pump, we have not attempted to place the larger pump in the system. Indications are that the springs are still down well below normal and can be expected to be below normal this year. Because of this we need to increase the efficiency of our collecting and diversion works with a possibility of increased storage at an estimated cost of $5,000.00.

RECEIVED WITH MEMO OF 4/24/59

(OVER)

Request is made for ~~reinstatement and~~ extension of time for filing
(Strike words not needed.)
proof from May 12 , 1959 , to May 12 , 1961 . Reasons why extension should be granted are: (Give reasons why the work could not be completed and the water put to beneficial use within the time heretofore allowed and why conditions now will permit the completion of the works and filing of proof within the time requested. Be specific in statement.)

Because of the less than normal spring flow, a larger pump, even though purchased and installed, would not enable us to make final proof for the quantity required and stated in the application. Investigations and survey work to determine the anticipated improvements of the system will be started this year as soon as possible. When these field data have been obtained we can then make the necessary plans and drawings for the improvements. The added and necessary construction will then follow as soon as possible.

Affiant upon oath states that he or the owner of the Application, whom he represents, has a bona fide intention and the financial ability to complete the works and to apply the water to the beneficial use as provided in the Application, within the period of extension requested.

United States of America
Bryce Canyon National Park
by: (SIGNED)

(SEAL) Regional Director Hugh M. Miller Applicant

(If a corporation, specify the title of the officer making the affidavit and affix corporate seal)

Subscribed and sworn to before me this 24th day of April 19 59

/s/ John H. Diehl
Notary Public

My commission expires February 24, 1959.

NOT TO BE FILLED IN BY APPLICANT

Application No._____ Request due_____ Recd._____
Applicant_____
Source_____
14 year period ends_____

Request for extension approved / rejected : time for submitting proof is hereby extended from _____ to and including_____

_____ Date

_____ STATE ENGINEER

DOCKET 1
Original sent to Reg. III 3-18/59

THE STATE OF UTAH
OFFICE OF STATE ENGINEER
SALT LAKE CITY

March 9, 1959

BC 254

D & Le

U. S. of America, Department of the Interior
National Parks Service
Washington 25, D. C.

ATTENTION: A. van V. Dunn, Chief, Water Resources Section

Gentlemen:

RE: APPLICATION NO. 20278

Proof as contemplated by the above numbered application will be due May 12, 1959. Such proof, together with maps, profiles and drawings, and the statutory filing fees, must be received in this office on or before that date. "Failure to make proof of appropriation or proof of change of water on or before the date set therefor, shall cause the Application to lapse."

Blank forms upon which proof must be submitted and a copy of the Rules and Regulations will be sent upon request. Upon receipt of the proof it will receive an office examination after which a field inspection will follow.

An extension of time for filing proof will be granted only upon the filing of a written request for extension made in affidavit form, showing diligence or a reasonable cause for delay and containing the following information:

1. Amount of work done and approximate cost.
2. Amount of work remaining to be done and its estimated cost.
3. Reason for extension and time desired.

Yours very truly,

Wayne D. Criddle

Wayne D. Criddle
State Engineer
403 State Capitol
Salt Lake City 14, Utah

ADDRESS ALL COMMUNICATIONS TO:

js
Encl: F-25

PROOF DUE

FORM L19 10-51 10M

Dripe Canyon 254

THE STATE OF UTAH
OFFICE OF STATE ENGINEER
SALT LAKE CITY

May 2, 1957 See Ltr 5-17-57

U. S. of America, Department of the Interior
National Parks Service
Washington 25, D. C.

ATTENTION: A. van V. Dunn, Chief, Water Resources Section

Gentlemen: RE: APPLICATION 20278

Request for Extension of Time in which to submit Proof of Appropriation or Proof of Change contemplated by the above application has been considered and the time for receiving proof is hereby extended from May 12, 1957 to May 12, 1959, inclusive.

Yours truly,

Wayne D. Criddle

ADDRESS ALL COMMUNICATIONS TO:
STATE ENGINEER
403 STATE CAPITOL
SALT LAKE CITY 1
UTAH

le

NOTE: No fees are required for granting an extension of time, therefore, your Purchase Order No. 99-857, and Voucher are returned to you enclosed.

EXTENSION GRANTED

P. S. Although this extension is granted in accordance with the provisions of the law, I earnestly recommend that you proceed to prepare and submit proof at the earliest possible date. One cannot foresee what contingencies might arise in the future; the present possession of your certificate might stand you in good stead.

FORM 25 3M 11 56

IN THE OFFICE OF THE STATE ENGINEER OF THE STATE OF UTAH

REQUEST FOR REINSTATEMENT AND EXTENSION OF TIME

(Strike words not needed)

(Before Fourteen Years) Reinstate 4-22-57

APPLICATION NO. 20278

~~STATE OF UTAH~~ CITY OF WASHINGTON)
~~COUNTY OF~~ DISTRICT OF COLUMBIA) ss.

A. van V. Dunn, being first duly sworn says that he is the ~~owner~~ agent of the owner of the above numbered Application; that he knows of his own knowledge that the construction of works as contemplated by the Application was actually commenced ~~on or~~ prior to ~~the date~~ the date of approval of the Application, and that the work has since been prosecuted with diligence.

The nature, extent and approximate cost of construction work done to this date, together with a detailed statement of use to which the water has been put, is as follows: (Describe briefly the type and extent of construction, whether impounding or diversion dam, or diverting channels and give the cost of construction. Indicate what part of the water, if any, covered by this Application has been put to beneficial use, the number of acres irrigated, etc. Mere statement as to general character of works, costs and use will not answer,—give details sufficient for one to determine what has actually been done.)

Water is collected in at least 900 feet of 4 inch tile pipe, delivered by gravity to 5000 gallon concrete sump, whence 15 gpm pump diverts said water through 7450 ft. of 2 inch G.I. pipe to 5000 gallon steel distribution reservoir whence municipal use at Rainbow Point, Bryce Canyon National Park is provided by gravity through distribution pipe system. The original 900 ft. tile collecting pipe was slightly extended within designated spring area in 1956 to spring which no longer seeps to original system under current drought conditions. Cost of water system to date is $8,300.

The nature, extent and estimated cost of construction remaining to be done to complete the work in accordance with the Application follows: (Describe with same details as required last above).

Existing 15 gpm pump must be replaced by 50 gpm pump, spring flow must return to what is believed to be normal for measurement, to complete project described in application. Prolonged drought indicates further need for more efficient diversion works which have been started, and possible increased regulatory storage, at estimated cost of $5,000, as well as the return of hydrological conditions which are believed to have been about normal in 1949, and are now far subnormal.

(OVER)

Request is made for ~~reinstatement and~~ extension of time for filing
(Strike words not needed.)
proof from May 12 , 1957 , to May 12 , 1959 . Reasons why extension should be granted are: (Give reasons why the work could not be completed and the water put to beneficial use within the time heretofore allowed and why conditions now will permit the completion of the works and filing of proof within the time requested. Be specific in statement.)

Justification for larger pump has temporarily disappeared due to reduced spring flow and water collection during extended drought period. Collected flow has been increased approximately 40% during past year, but still provides less water than existing pump can handle, and such small supply that water using facilities had to be closed 3 days per week. Provisions for complete collection of available flow must be made after progressive explorations which are now in progress. Proof of normal appropriations is also dependent on return of normal spring flows, or determination of what constitutes practical, useable water supply. This water supply will be adequate for proposed developments if 1948-1949 conditions return, but now supplies only 45% of existing needs and demand is increasing.

Affiant upon oath states that he or the owner of the Application, whom he represents, has a bona fide intention and the financial ability to complete the works and to apply the water to the beneficial use as provided in the Application, within the period of extension requested.

Robert T. Dunn A. van V. Dunn
Chief, Water Resources Sec. Applicant
National Park Service, Department of the Interior
(If a corporation, specify the title of the officer making the affidavit and affix corporate seal)

Subscribed and sworn to before me this 17th day of April 1957

Notary Public, D. C. Lorin A. Myers
My Commission expires December 14, 1961
Notary Public

NOT TO BE FILLED IN BY APPLICANT

Application No._____ Request due_____ Recd._____
Applicant_____
Source_____
14 year period ends_____

Request for extension approved / rejected : time for submitting proof is hereby extended from _____ to and including_____

_____ _____
Date STATE ENGINEER

WRC Copy

L54-OBL

March 18, 1959

Memorandum

To: Regional Director, Region Three

From: Chief, Water Resources Section

Subject: Proof, or Extension of Time, Application-Permit 20278, Yovimpa Spring, Docket 1, Bryce Canyon

Attached are the State Engineer's notice of March 9 that proof is due on May 12 under Application-Permit 20278, and a single copy of the Form 25 SM 5-57 by which to request reinstatement and (or) extension of time.

I assume that a further extension of time should be requested. There is plenty of time to request extra copies of the form in order that copies may be made for the four docket assemblies. There are several previous requests, and orders granting extensions in the docket, to follow as models. You will note, however, that the State Engineer has advised us, on the last order, to expedite proof. This means that we should offer the best possible reasons for not having completed the system since 1957.

This is a municipal right, or claim to the use of water in the community area of Bryce Canyon National Park. It is like the rights (Dockets 1 - 4) for water used in the old area of Zion National Park. For this reason we do not have to prove full use of the 0.1 sec.ft., but we do have to prove that the spring has a flow of 0.1 sec.ft., and the pump has a capacity of at least 45 gpm. Proof has been deferred to date because the required pump capacity has not been provided.

The correspondence will show that there has been some question as to whether the full quantity of water is needed. There has also been a report that the spring flow was at least partially consumed by a tree before it could be diverted by even the existing pump. There would be no objection to making proof on any quantity of water between the claimed 0.1 sec.ft. (44.8 gpm) and 0.04 sec.ft. (15 gpm), based on careful determination of the reliable flow which can be obtained, and the estimated ultimate water demand. However, the municipal use of the future can be anywhere in the Park, and not just at the existing Rainbow Point development.

The ultimate potential uses should be carefully considered with the Park Master Plan. If more than 15 gpm are needed, a larger pump should be provided as soon as possible.

SIGNED

A. van V. Dunn
Chief, Water Resources Section

Attachments 2

Copy to: Superintendent, Bryce Canyon
Chief, WORO
Mr. Dunn

AvVDunn:let

L54-L

WRC 4/9

April 22, 1957

Mr. Joseph M. Tracy, State Engineer
403 State Capital
Salt Lake City, Utah

Re: Application 20278, Yovimpa Spring
Bryce Canyon National Park

Dear Mr. Tracy:

Enclosed are our request for extension of time in which to make proof under Application 20278, and the purchase order and voucher to cover the filing fee. The voucher should be signed and returned to this Office for payment.

As stated on your order of 1955, granting an extension of time, proof should be made as soon as possible. However, it would be against all Federal and public interests to make proof on any measurements of spring flow which are possible under the conditions which have resulted from about eight years of continued drought.

Very truly yours,

SIGNED

A. van V. Dunn
Chief, Water Resources Section

Enclosures 2

Copy to: Regional Director, Region Three, w/c 1 enclosure
Superintendent, Bryce Canyon, w/c 1 enclosure
Chief, WODC, w/c 1 enclosure
Mr. Dunn
} All detached

AvVDunn:lct

WRCA

154-L

April 22, 1957

Memorandum

To: Regional Director, Region Three

From: Chief, Water Resources Section

Subject: Extension of Time Under Water Right Application 20278, Yovimpa Spring, Bryce Canyon

Copies of our request for extension of time under subject application are being sent to you, the Superintendent, and WORC, with copies of this memorandum. The requests should be filed at top of contents of Bryce Canyon Docket No. 1.

The contents of Mr. Rowe's excellent memorandum of April 9 were only used indirectly, but they merit some comment. To make final proof it is necessary to measure the natural flow of collected water, and also file description and plans of water system which is capable of diverting that flow. There is some question in my mind as to whether the measurement of 5 gallons in 5 seconds (300 gpm) on May 20, 1949 is not a spring flood flow that would not be available during peak water demand of July and August. We should obtain similar measurements at the time of peak demand, but we should also wait until hydrological conditions produce an apparently normal flow equal to the demand at that peak of the tourist season.

Attention is called to the outline of desired subject matter for each paragraph of the request for extension of time. We are supposed to describe the system and supply costs. We should have an overlay showing tile pipe extension of the past year, to add to our Drawing NP-BC-6953, of which copy is in the docket, and also showing any further extensions made before we request another extension of time.

In reviewing the files it also appears to me that tile in gravel along a water bearing fault in rock is not an efficient method to collect the water. If this source is to be used as the ultimate source, the pipe and gravel should be relayed in a concrete lip which would be bonded to the rock just below the water bearing fault.

In our proof, which we started to file in 1950, I also note that the spring area is described as beginning at a 36" pine. Considerable water is probably consumed by this pine and other vegetation in the spring area. I believe that all possible trees with roots along, or in the fault, should be removed without disturbing the rock

formation. Removal of the root system would probably expose seeps which might develop into significant springs as any remaining roots die.

Finally, our proof should show pump capacity and storage at the spring area to permit full diversion of the required quantity of flow. The application is for diversion of 0.1 sec.ft. or 45 gallons per minute. If such pump operates only 8 hours per day it would only constitute proof of use of about 0.033 sec.ft. or 15 gpm. The existing pump is only good for proof of this lower quantity if it operates 24 hours per day.

The present system is adequate for the present collected flow, but it was not adequate for use of the apparent 0.1 sec.ft. available in 1949, when most of the water demand occurred during 8 or 10 hours of the day, because there was not capacity to store about 30,000 to 40,000 gallons of water at the distribution reservoir even if the pump operated 24 hours per day.

I question whether we need to make proof on 0.1 sec.ft. (64,632 gpd), but we do want to be sure what portion of that quantity is needed, and can be diverted and used when needed, before we prove up on a smaller quantity. We have to be able to prove that the "municipal" supply and system capacity are adequate for the night. We do not have to prove that the full use is made at time of proof.

SIGNED

A. van V. Dunn
Chief, Water Resources Section

Attachment

Copy to: Superintendent, Bryce Canyon, w/c attachment
Chief, WUSC, w/c attachment
Mr. Dunn

AvVDunn:let

WRG
L-54

Region Three
Santa Fe, New Mexico

APR 2 - 1957

Memorandum

To: Director

From: Regional Chief of Lands

Subject: Water Right Application and Permit 14066 (Cancelled) and 20278, Yovimpa Springs, Docket 1, Rainbow Point, Bryce Canyon

This will acknowledge Mr. Dunn's airmail memorandum of March 26, concerning the subject application and permit. When I met Superintendent Bean at Salt Lake City February 20, the matter was informally discussed. It was Mr. Bean's opinion at that time that we could probably make final proof, since our service is currently taking or using the entire supply from Yovimpa Spring. However, in discussing the matter more in detail with Superintendent Bean in this office on March 29, we agreed that a request to the State Engineer for an extension of time would be advisable. He will arrange to keep the best records possible this year to support the somewhat meager use data that has been collected thus far.

It will be necessary for Mr. Bean to study his area files at the park before he can supply the pump and flow records for 1956. At the same time Mr. Bean supplies this information he will also furnish copies to this office and WODC and at that time will furnish the number of visitors to the area in 1954, 1955 and 1956, with notations regarding the peak days and weeks in those years.

JOHN E. KELL

John E. Kell
Regional Chief of Lands

In duplicate

Copy to: Supt., Bryce
WODC

L54-L

WESTERN OFFIC
DESIGN & CONSTRU
MAR 28 1957
CHIEF
ADMIN.ASSIST.
PERSONNEL
PLANS & PROC
SAFETY
ARCHITECT
ENGINEER
LAND. ARCH.
ACTION TAKEN

AIR MAIL

March 26, 1957

Memorandum

To: Regional Director, Region Three

From: Chief, Water Resources Section

Subject: Water Right Application and Permit 14066 (Cancelled) and 20278, Yovimpa Spring, Docket 1, Rainbow Point, Bryce Canyon

We have received the State Engineer's notice that proof under Permit 20278 or a request for extension of time, is due on May 12.

It is our belief that we should request a further extension of time, partially because the spring flow is subnormal and may not permit diversion of required quantities, partially because the 15 gpm pump and 10,000 gallons of storage may not permit diversion of the daily amount which may be needed under ultimate MISSION 66 development, and partially because neither your Office, the Park, nor this Office has the personnel to complete proofs and file them by the designated date. Reviewing the data supplied with the memorandum of November 15, 1955, from Mr. Franke, for instance, we note that the three springs had a combined flow of only 1.676 gpm on July 29, 1955; and 1.271 sec.ft. on August 30, 1955, when the maximum of 3,243 gallons was pumped during the day. By comparison, the spring flow of 1.271 gpm only totaled 1,831 gallons on August 30, 1955, when 3,243 gallons were pumped, in part from collected storage in the 5,000 gallon sump at the spring. It is also noted that 4,965 gallons, or about all that could be obtained was pumped on several days over a much longer period in 1954 than in 1955.

With copies of this memorandum directly to the Superintendent and WODC, it is requested that the Superintendent supply such pump and flow records as are available for 1956, and that those handling the MISSION 66 development plans supply up to date information on ultimate needs, and possible increases in storage at the spring and Rainbow Point.

It appears that the right will be based on the spring flow, and that all probable spring flow in the next wet cycle will probably be less than the pump capacity of 15 gpm or 21,600 gpd.

To support the request for extension of time it would also be helpful if we could have the approximate, or actual numbers of visitors to the area in 1954, 1955 and 1956, and for the peak weeks, and peak days in those years.

Because of the time element, copies of all requested information should be sent direct to this office, but duplicate copies should be sent through channels. Region Three should add any supplemental comments to the copies going through channels, in the event that they can reach here in the latter part of April.

SIGNED

A. van V. Dunn
Chief, Water Resources Section

Copy to: Superintendent, Bryce Canyon - AIR MAIL
Chief, WODC - AIR MAIL

FORM 21 5M 10-56

RECEIVED
Chief Clerk's Office
NATIONAL PARK SERVICE
1957 MAR 11 PM 2:13

WR Copy

Bryce Canyon, Yourmpe Springs

THE STATE OF UTAH
OFFICE OF STATE ENGINEER
SALT LAKE CITY

March 6, 1957

U. S. of America, Department of the Interior
National Parks Service
Washington 25, D. C.

ATTENTION: A. van V. Dunn, Chief, Water Resources Section

Gentlemen: RE: APPLICATION NO. 20278

Proof as contemplated by the above numbered application will be due May 12, 1957 . Such proof, together with maps, profiles and drawings, and the statutory filing fees, must be received in this office on or before that date. "Failure to make proof of appropriation or proof of change of water on or before the date set therefor, shall cause the Application to lapse."

Blank forms upon which proof must be submitted and a copy of the Rules and Regulations will be sent upon request. Upon receipt of the proof it will receive an office examination after which a field inspection will follow.

An extension of time for filing proof will be granted only upon the filing of a written request for extension made in affidavit form, showing diligence or a reasonable cause for delay and containing the following information:

1. Amount of work done and approximate cost.
2. Amount of work remaining to be done and its estimated cost.
3. Reason for extension and time desired.

Yours very truly,

Joseph M. Tracy

Joseph M. Tracy
State Engineer
403 State Capitol
Salt Lake City 14, Utah

ADDRESS ALL COMMUNICATIONS TO:

le
Encl: F-25

PROOF DUE

WR Copy

In reply refer to:
154-L

June 3, 1955

Memorandum

To: Regional Director, Region Three

From: Chief, Water Resources Section

Subject: Yovimpa Spring Water Rights, Applications 14066 and 20278, Docket 1, Bryce Canyon

The attached copy of letter of May 25, from the State Engineer, indicates that we cannot make proof on existing pump capacity under the priority of Application 14066, and thus save the priority of Application 20278 for the remote use of the additional spring flow.

The question was worth asking, but the State Engineer's refusal to permit such action is not serious. We can defer decision as to whether we want to retain right to 15 gpm or 45 gpm until time when the next extension of time for the latter is necessary, in accordance with our memorandum of May 9.

[redacted]

A. van V. Dunn
Chief, Water Resources Section

Attachment

Copy to: Superintendent, Zion (2) with attachments
Western Office of Design and Construction, with attachment
Mr. Dunn

AvVDunn:lct

C
O
P
Y

THE STATE OF UTAH
OFFICE OF STATE ENGINEER
Salt Lake City

May 25, 1955

United States of America
Department of the Interior
c/o Mr. A. van V. Dunn
Chief, Water Resources Section
National Park Service
Washington 25, D. C.

Gentlemen: RE: APPLICATIONS NOS. 14066 AND 20278
YOUR NO. L54-L

Relative to your letter dated May 17, 1955, and received by this office May 20, 1955, concerning the status of the two above numbered applications, the following information is submitted:

The records of this office show Application No. 14066 to have been withdrawn February 16, 1951 and has no further force or effect and therefore no right to the use of water exists thereunder or can any right be acquired.

In reference to the last paragraph of your aforesaid letter, this is to advise you that to perfect the right to the use of the water from the spring area at this time, can only be accomplished under and subject to your present Application No. 20278. In the event you desire to acquire a perfected right under Application No. 20278 to the extent of your present development and not to the full right of the application, the quantity of water exceeding the quantity of the perfected right will be forfeited. Then, if at a later date additional water from the same source is needed, an appropriation will have to be made by filing an application for a new appropriation, if unappropriated water is available or from other existing rights, if any exist, by change application.

I hope this answers your questions in this matter.

Yours truly,

/s/ Joseph M. Tracy

Joseph M. Tracy
State Engineer

JMT/vm

WR Copy

In reply refer to:
L54-L

May 17, 1955

Memorandum

To: Regional Director, Region Three

From: Chief, Water Resources Section

Subject: Water Right Application 20278, Yovimpa Spring, Docket 1, Bryce Canyon

The memorandum of May 13 from Mr. Lassiter reminded us that the letter to the State Engineer was not written, as intended, before sending our memorandum of May 9. Three copies are enclosed herewith.

The limited water use since 1948 indicates that we might be justified in making proof under Application 20278 for 0.0334 sec.ft., or even the 0.01 sec.ft. (6,463 gpd) under Application 14066 if the municipal status is preserved. However, it would be better to retain the potential right to more water if possible.

SIGNED

A. van V. Dunn
Chief, Water Resources Section

In duplicate

Attachments 3

Copy to: Western Office of Design and Construction
Mr. Dunn

AvVDunn:lct

WR Copy

In reply refer to:
194-1

May 17, 1955

Bryce Canyon

Mr. Joseph H. Tracy
State Engineer
Salt Lake City, Utah

Re: Applications 14066 and 20278

Dear Mr. Tracy:

Your letter of April 29, forwarding the Extension Granted Notice under Application 20278, suggests that the confusion as to whether we were dealing with 14 years of development has resulted from the fact that Application 20278 was filed to supersede Application 14066. Application 14066 was approved May 15, 1941, and Application 20278 was approved May 12, 1949.

The latter application was prepared in accordance with instructions from your predecessor, Mr. Watson, who did not consider the original application as properly indicative of the intended municipal use. It was intended to supersede or supplement Application 14066, and the 14066 does not seem to have been formally cancelled. In that correspondence, we also learned for the first time that proof for municipal purposes was based on ability to deliver rather than the actual past use of the designated quantity of water. There seems to have been differing opinion as to how the municipal claim should be presented.

Application 14066 had designated an intended use of 0.01 sec. ft. Application 20278 designated an available spring flow of approximately 0.1 sec.ft., an existing pump capacity of 0.033⅓ sec.ft., and an ultimate intention to provide pump capacity equal to the spring flow. The initial priority is, of course, limited to 0.01 sec.ft., and the small per capita use is still so small that a larger pump is not yet justified in spite of the rapidly increasing visitor use.

This leads to the question of whether Application 14066 could still be used to make proof of municipal use of 0.01 sec.ft., with 1941 priority, leaving Application 20278 in permit form until we determine what part of the remaining 0.09 sec.ft. will ultimately be needed under the 1948 priority. It might be advantageous for the records to have the water system operating under a perfected right, regardless of the quantity of water, with a supplemental claim for water for the continuing increase in demand.

Sincerely yours,

SIGNED

A. van V. Dunn
Chief, Water Resources Section

Copy to: Regional Director, Region Three (3) detached
Western Office of Design and Construction, detached
Mr. Dunn

AvVDunn:let

WR Copy

In reply refer to:
L54-L

May 9, 1955

Memorandum

To: Regional Director, Region Three

From: Chief, Water Resources Section

Subject: Water Right Application 20278, Yovimpa Spring, Docket 1, Bryce Canyon

Attached are the original and two copies of the order granting an extension of time for one year in which to make proof under Application-Permit 20278, and three copies of the letter of transmittal from the State Engineer. We also enclose three copies of our reply to the State Engineer.

The original and one copy of the order should be forwarded to the Superintendent of Zion for the Bryce and Zion docket assemblies, and the other copy should be placed in your docket assembly. It should be placed at the top of contents of upper section, relating to Application 20278.

The State Engineer and I both seem to have been confused by the existence of two applications, 14066 and 20278 respectively. The former was filed on February 11, 1941, and approved on May 15, 1941, and the latter was filed on October 19, 1948, and approved on May 12, 1949. The date for proof or extension of time would be May 12 or 15 in any case, but there is an eight year difference in years.

Application 14066 was for the appropriation of only 0.01 sec.ft. based on anticipated use. Application 20278 was substituted to change the designated use from domestic to municipal. In so doing the claimed quantity of water was increased from 0.01 sec.ft. to 0.10 sec.ft., to cover all potential spring flow. A municipal right is based on the ability to deliver, and not on the actual use. We lost the 1941 priority as a result, and considered ourselves justified because the relative priority did not seem as important as the authority to use more than 0.01 sec.ft.

Our tab of the docket assembly still bears the Priority February 11, 1941. Please cross out that date and write "cancelled thereafter. Just below, in line with Application 20278, please write or print in October 19, 1948."

Since requesting the attached extension of time, we have suggested that an attempt be made to borrow a larger pump in order to make proof. We now have eight years in which to make proof if we continue to obtain biennial extensions of time on request at labor costs of about $3.00 each. Our rejected proof of 1953 indicates that the present pump has a capacity of 15 gpm, or 0.034 sec.ft., that the spring flow was 0.0854 sec.ft. on June 11, 1948 and 0.1335 sec.ft. on May 20, 1949. By memorandum of April 18, Mr. Thomas advised that he believes actual useage is only about 800 gpd or 0.00124 sec.ft.

It is suggested, therefore, that the spring flow during the tourist season, and related water use, be measured at frequent intervals. It might pay to measure spring flow weekly or bi-weekly, and to measure all pumped water between flow measurements. The pumped water should be measured by change in water level in the reservoir or collecting sump, with date, and not by hours of pumping. We will probably be in a better position to estimate the trends of water demand after five years of such observations. It may also be that the John Bean pump will need replacement shortly after 1960, and the records will permit determination of the desired capacity for the replacement for the next 20-year period and water right proof.

SIGNED

A. van V. Dunn
Chief, Water Resources Section

In duplicate

Attachments 6

Copy to: Western Office of Design and Construction
Mr. P. Miller
Mr. Dunn

AvVDunn:lct

THE STATE OF UTAH

OFFICE OF STATE ENGINEER

SALT LAKE CITY

JOSEPH M. TRACY
STATE ENGINEER

April 29, 1955

Director, National Park Service
Branch of Lands
c/o Mr. A. van V. Dunn
Room 2225 Interior Building
Washington, D. C.

Yaminpa Spring
Bryce Canyon - Dedicated

Dear Sir: RE: APPLICATION NO. 20278
YOUR NUMBER L54-L

On April 26, 1955, this office received a request for extension of time to submit Proof of Appropriation on Application No. 20278 and an accompanying Purchase Order No. 99-498 and public voucher to authorize the advertising and cost of publishing, estimated at $20.00, of the Notice to Water Users relative to the aforesaid application.

This is to inform you that due to an error in the records of this office, you were inadvertently notified by Proof Due Notice, dated March 8, 1955, that the end of the 14-year period, as set out in Section 73-3-12, Utah Code Annotated, 1953, would end May 12, 1955, and that it would be necessary to publish notice and hold a hearing before the State Engineer, to be granted further extension of time, as required by law.

An examination of the file shows that the 14-year period will not end until May 12, 1963, which is 14 years from date of approval of the application, which was May 12, 1949. The advertising and hearing are, therefore, not required at this time.

I am returning, herewith, the aforesaid Purchase Order No.99-498 and public voucher and this is to advise you that the records of this office have been corrected to show that the 14-year period will end May 12, 1963.

The request for extension of time has been acted upon and I am enclosing, herewith, an Extension Granted Notice, wherein you are given an extension of time to submit proof from May 12, 1955 to May 12, 1957.

Yours truly,

Joseph M. Tracy
STATE ENGINEER

JMG/vm
Enc:Purchase Order No. 99-498
Public Voucher
Extension Granted Notice

L54-L

Region Three
Santa Fe, New Mexico

May 4, 1955

Memorandum

To: Superintendent, Zion and Bryce Canyon

From: Regional Chief of Operations

Subject: Water Right Application and Permit 14066, Docket 1, Yovimpa Springs, Bryce Canyon

There is attached copy of Mr. Dunn's memorandum of April 27 in which he suggests the possibility of installing the pump now serving the Gifford Ditch on Yovimpa Spring.

It is my understanding that this pump is a low head, centrifugal which would not deliver any water against the total static and dynamic head of 1365 feet, which would be required to deliver 45 gallons per minute to the reservoir at Rainbow Point. Service of this kind would require a special high pressure displacement pump designed for such operating conditions.

If it is possible for you to obtain such a pump from surplus or other sources, it is requested that you do so and operate the Yovimpa Spring water system for a season or two at the rate of 45 gallons per minute in order to prove that we have pumping capacity of the required 0.1 sec. ft. as set forth in our application.

(SIGNED)
David H. Canfield
Regional Chief of Operations

Copy to: Director
Western Office, D & C

Office of
Chief, Western Office
Div. of Design and Const.
MAY 9 1955 A.M.
Supv. Architect
Supv. Engineer
Supv. Landscape Arch.
Safety Engineer

THE STATE OF UTAH
OFFICE OF STATE ENGINEER
SALT LAKE CITY

JOSEPH M. TRACY
STATE ENGINEER

April 29, 1955

Ltr 5-9-55

Director, National Park Service
Branch of Lands
c/o Mr. A. van V. Dunn
Room 2225 Interior Building
Washington, D. C.

Dear Sir: RE: APPLICATION NO. 20278 Yovimpa Spring Bryce Canyon - Parker
YOUR NUMBER L54-L

On April 26, 1955, this office received a request for extension of time to submit Proof of Appropriation on Application No. 20278 and an accompanying Purchase Order No. 99-498 and public voucher to authorize the advertising and cost of publishing, estimated at $20.00, of the Notice to Water Users relative to the aforesaid application.

This is to inform you that due to an error in the records of this office, you were inadvertently notified by Proof Due Notice, dated March 8, 1955, that the end of the 14-year period, as set out in Section 73-3-12, Utah Code Annotated, 1953, would end May 12, 1955, and that it would be necessary to publish notice and hold a hearing before the State Engineer, to be granted further extension of time, as required by law.

An examination of the file shows that the 14-year period will not end until May 12, 1963, which is 14 years from date of approval of the application, which was May 12, 1949. The advertising and hearing are, therefore, not required at this time.

I am returning, herewith, the aforesaid Purchase Order No.99-498 and public voucher and this is to advise you that the records of this office have been corrected to show that the 14-year period will end May 12, 1963.

The request for extension of time has been acted upon and I am enclosing, herewith, an Extension Granted Notice, wherein you are given an extension of time to submit proof from May 12, 1955 to May 12, 1957.

Yours truly,

Joseph M. Tracy

Joseph M. Tracy
STATE ENGINEER

JMG/vm
Enc:Purchase Order No. 99-498
Public Voucher
Extension Granted Notice

FORM Lic 10-51 10M

THE STATE OF UTAH

OFFICE OF STATE ENGINEER

SALT LAKE CITY

April 29, 1955

U. S. of America, Department of the Interior
National Parks Service
Washington 25, D. C.

Bryce Canyon - Docket 1

Gentlemen: RE: APPLICATION 20278

Request for Extension of Time in which to submit Proof of Appropriation or Proof of Change contemplated by the above application has been considered and the time for receiving proof is hereby extended from May 12, 1955 to May 12, 1957, inclusive.

Yours truly,

Joseph M. Tracy

Joseph M. Tracy
STATE ENGINEER
403 STATE CAPITOL
SALT LAKE CITY 1
UTAH

ADDRESS ALL COMMUNICATIONS TO:

le

EXTENSION GRANTED

P. S. Although this extension is granted in accordance with the provisions of the law, I earnestly recommend that you proceed to prepare and submit proof at the earliest possible date. One cannot foresee what contingencies might arise in the future; the present possession of your certificate might stand you in good stead.

WRC

In reply refer to:
L54-L

April 27, 1955

Memorandum

To: Regional Director, Region Three

From: Chief, Water Resources Section

Subject: Water Right Application and Permit 14066, Docket 1, Yovimpa Springs, Bryce Canyon

Since Mr. Canfield wrote his memorandum of April 22, you have doubtless received the copies of our request for extension of time and advice that such request was made on the basis of information which Mr. Franke supplied while in Washington.

We agree that a larger pump cannot be justified as a permanent installation with the limited water use now being made. However, since the rights have municipal status, we can obtain a final license on proof of diversion capacity without regard to the amount of water now used beneficially.

It was hoped that there might be a surplus pump at Zion which might be installed for a season or so, to permit the Director to certify to a diversion capacity of the required 0.1 sec.ft. Mr. Franke reports, for instance, that the pump serving the Gifford Ditch is to be replaced by one of greater capacity. If that old pump could deliver 15% of its rated capacity under the head at Yovimpa Springs, and there is no other use for it at this time, it could be stored by temporary installation at Yovimpa Springs, and thus permit proof for final license.

On the other hand, it is a long way from 800 gpd to 64,632 gpd, and the low present consumption is not out of line with the type of present use even if all park visitors stop at Rainbow Point. I metered the water use at a comfort station at the Fall River Entrace at Rocky Mountain about 1937 and found that the water consumption per park entrant was only 0.1 gallon (only 1 out of about 50 used comfort station). Accordingly, the existing pump may be adequate for all future needs unless camping or picnicking becomes more extensive, to extend the period a visitor spends at the area.

SIGNED

A. van V. Dunn
Chief, Water Resources Section

In duplicate

Copy to: Western Office of Design and Construction
Mr. P. Miller
Mr. Dunn

AvVDunn:let

In reply refer to:
L54-L

April 22, 1955

Mr. Joseph M. Tracy
State Engineer
Salt Lake City, Utah

Re: Application 20278
Bryce Canyon National Park

Dear Mr. Tracy:

Enclosed are an application for extension of time in excess of 14 years in which to complete beneficial use under the subject application and permit, and a purchase order to authorize the necessary advertising.

In your letter of December 28, 1954, concerning a similar extension of time under Application 13209, you advised that it was not necessary for the United States to pay in advance for the advertising. The purchase order is to obligate funds for your future bill, in accordance with that letter.

Since space is limited on the application form, the following records of actual annual visitors at the Park may give you helpful background. The figures are for the travel year, October 1 to September 30 through 1952, and the calendar years 1953 and 1954.

1941 - 124,093		1951 -	223,822
1942-1948 - war and recovery		1952 -	225,880
1949 - 192,097		1953 -	242,820
1950 - 209,397		1954 -	238,157

There was an exceptional increase in 1953 due to the organized travel of Boy Scouts to the National Jamboree in California. Neglecting this surge, it will be noted that Park attendance has increased fairly uniformly since the close of the period of war emergency. An average of about 2,000 people per day visited the Park in the 1954 tourist season and most of them visit the isolated observation area at the end of the road which is served by this system.

The average per capita water use from Yovimpa Springs is small, in the rest rooms and picnic area, but it is increasing. We do not know whether use will ever be made of the entire authorized quantity of water but we should keep the claim open, under the established priority until the ultimate limit of water demand can be determined.

Very truly yours,

SIGNED
A. Vem V. Dunn
Chief, Water Resources Section

Enclosures 2

Copy to: Regional Director, Region Three (3), with attachment
Western Office of Design and Construction, with attachment
Mr. Dunn

AvVDunn:lct

In reply refer to:
L-5L-L

Region Three
Santa Fe, New Mexico

April 22, 1955

Office of
Chief, Western Office
Div. of Design and Const.
APR 25 1955 A.M.
Supv. Architect
Supv. Engineer 4/26
Supv. Landscape Arch.
Safety Engineer

Memorandum

To: Director

From: Regional Chief of Operations

Subject: Status of Water Rights Under Permit 14066, Docket L, Yovimpa Springs, Bryce Canyon

There is attached copy of Acting Superintendent Thomas' memorandum of April 18 which is in reply to Mr. Dunn's memorandum of March 9.

You will note that it is impossible to get into Yovimpa Springs at this time of the year and it will probably be a month before access to the Springs will be possible.

If the figure of 300-gallons-per-day reported by Mr. Pollock represents the average daily pumping from Yovimpa Springs, we will have difficulty in showing beneficial use of the water applied for.

The operation of a pump delivering 45-gallons-per-minute in the present system is hardly practical. There is attached a copy of Mr. Lassiter's memorandum of March 24 to the Superintendent which shows a total pumping heading of 1,365 feet with a flow of 45-gallons a minute through the 2-inch pipe line. However, if Mr. Dunn feels that this is essential and can furnish the money to purchase and install such a pump I think we can have it installed this summer and put it into operation. Please advise on the availability of funds for this purpose.

(SIGNED)
David H. Canfield
Regional Chief of Operations

Attachments

Copy to: Supt., Zion and Bryce Canyon
Western Office, D. & C.

FORM 29 1 M 6-53

IN THE OFFICE OF THE STATE ENGINEER OF THE STATE OF UTAH

Request for Reinstatement and Extension of Time

(Strike words not needed)

(AFTER FOURTEEN YEARS)

Ltr 4-22-55

APPLICATION NO. 20278

STATE OF UTAH: CITY OF WASHINGTON
COUNTY OF DISTRICT OF COLUMBIA } ss.

A. van V. Dunn, being first duly sworn says that he is the owner or the agent of the owner of the above numbered Application; that he knows of his own knowledge that the construction of works as contemplated by the Application was actually commenced ~~within~~ prior to ~~months after~~ the date of approval of the Application, and the work has since been prosecuted with diligence.

The nature, extent and approximate cost of construction work done to this date, together with a detailed statement of use to which the water has been put, is as follows: (Describe briefly the type and extent of construction, whether impounding or diversion dam, or diverting channels and give the cost of construction. Indicate what part of the water, if any, covered by this Application has been put to beneficial use, the number of acres irrigated, etc. Mere statement as to general character of works, costs and use will not answer—give details sufficient for one to determine what has actually been done.)

The water system is complete except that an undersized pump is in use until there is need for one of the authorized size. The existing system has cost approximately $8,000.

The nature, extent and estimated cost of construction remaining to be done to complete the work in accordance with the Application follows: (Describe with same details as required last above.)

The existing 15 gpm pump will be replaced by one with a capacity of 50 gpm, when necessary.

Request is made for an extension of time for filing proof from May 12, 1955, to May 12, 1960. (Last date for submitting proof cannot exceed 50 years from date of approval of Application.) Reasons why extensions should be granted are: (Give reasons why the work could not be completed and the water put to beneficial use within the time heretofore allowed and why conditions now will permit the completion of the works and filing of proof within the time requested. Be specific in statement.

The Yovimpa Spring water system, under Permit 20278, is serving a limited municipal use for which the existing pump is still adequate. However, the system and water claim are to provide water for an ultimate public demand which can not yet be determined. Practially all Park visitors use some of the spring water, and the number of annual visitors has increased from 124,093 in 1941, when the application was filed, to 192,097 in 1949, and 238,157 in 1954. Proof for license should be deferred until the authorized full use or a stablized attendance and water demand materialize.

Affiant upon oath states that he or the owner of the Application, whom he represents, has a bona fide intention and the financial ability to complete the works and to apply the water to beneficial use as provided in the Application, within the period of extension requested. $20.00 is ~~tendered herewith~~ Authorized by accompanying purchase order, for publishing notice to water users.

Grant Dam
Chief, Water Resources Sec Applicant
National Park Service
(If applicant is a corporation, give the title of the officer making the affidavit and affix corporate seal.)

Subscribed and sworn to before me this 21st day of April 1955

Lorin A. Davis
Notary Public, D. C. Notary Public
My Commission Expires November 14, 1956

NOT TO BE FILLED IN BY APPLICANT

Application No. _____ Request due _____ Recd. _____
Applicant _____
Source _____
50 year period ends _____ Adv. fee $20.00 Recd. _____ by _____
Receipt No. _____
Hearing set for _____ at _____
Notice published weekly in _____
Beginning _____ and ending _____
Extension protested by _____

Request for extension approved / rejected ; time for submitting proof is hereby extended from _____ to and including _____

_____ Date

_____ STATE ENGINEER

WR Copy

In reply refer to:
154-L

March 9, 1955

Memorandum

To: Regional Director, Region Three

From: Chief, Water Resources Section

Subject: Status of Water Rights Under Permit 14066, Docket 1, Yovimpa Springs, Bryce Canyon

It is necessary to make proof of water use, or obtain another extension of time for such purposes, under Permit 14066, by May 12. The matter is complicated by the fact that the right was initiated by filing on February 11, 1941, and the 14-year period of time, without readvertising, actually expired last month. In spite of the attempt to make proof with an undersized pump in 1950, it is anticipated that the State may have to grant a special order to confirm the extension from February 11 to May 12, when he notifies of proof due, during the next month.

The permit authorizes the diversion and use of 0.1 sec.ft. of water. The John Bean pump described in the 1950 proof had a capacity of only 0.0334 sec.ft. The proof could be amended and refiled in lieu of another request for extension of time, and save a $20.00 advertising cost, if a pump with a capacity of 0.1 sec.ft. (45 gpm) could be installed and tested for required capacity at this time. We have records of spring flow of 0.0854 sec.ft. on June 11, 1948, and 0.1335 sec.ft. on May 20, 1949, which indicate that there is no justification for reducing the claim on the basis of pump capacity.

We also have attendance records to indicate an increase in visitors of about 30% between 1949 and 1954, and a total of 75,177 visitor days in August 1954. If all visitor days reflected one use, each, of the comfort stations, the water demand would have averaged between 8,000 and 12,000 gpd, and a possible peak day demand of all water the John Bean pump could deliver. Only a small percentage of Park visitors probably use the Yovimpa Springs water supply and sanitary facilities, but we should have an estimate, if not a measurement, of maximum past use with date. If there is picnicking as well as parking, estimated or measured use should be supported by a record of approximate total population stopping at the area and the number or percentage who stayed a significant portion of the day.

At least preliminary comments are desired at once, in order that we may know whether we are to make proof or request an extension of time. If a 45 gpm pump can be installed at least temporarily this spring, that information should be supplied.

SIGNED

A. van V. Dunn
Chief, Water Resources Section

In duplicate

Copy to: Western Office of Design and Construction
Mr. Langley
Mr. P. Miller
Mr. Dunn

AvVDunn:lct

RECEIVED
Utah State Office
BUREAU OF LAND MANAGEMENT

FORM 18
1M 5-53

1955 MAR 11 PM 3

THE STATE OF UTAH
OFFICE OF STATE ENGINEER
SALT LAKE CITY

Price

March 8, 1955

U. S. of America, Dept. of Interior
National Parks Service
Washington 25, D. C.

Gentlemen:

ATTENTION: Mr. A. van V. Dunn

RE: APPLICATION NO. 20278

Yavimpa Spr. Docket 1-Bryce Canyon

Proof as contemplated by the above numbered Application will be due May 12, 1955 . Such proof, together with maps, profiles, if required, and drawings in conformity with rules and regulations promulgated by the State Engineer, and the statutory filing fees, must be received in this office on or before that date. The law provides that failure to make proof of appropriation or proof of change of the water on or before the date set therefor, shall cause the Application to lapse. Blank forms upon which proof must be submitted and a copy of the Rules and Regulations will be sent upon request.

Your attention is called to the fact that the 14 year period during which the State Engineer may grant extensions of time in which to submit proof of appropriation without publication, ~~ended~~ will end May 12, 1955 . Further extensions may be granted only upon application to the State Engineer, publication of notice and a hearing before the State Engineer as provided by law.

Request for extension of time, made in affidavit form, must show diligence or a reasonable cause for delay and contain the following information:

1. Date actual construction work was begun and whether or not construction work has been prosecuted until this time with diligence.
2. Amount of work done to date and approximate cost.
3. Amount of work remaining to be done and its estimated cost.
4. Reason for extension, and time desired.

A fee of $20.00 to cover the cost of publishing notice of hearing must accompany each request. A blank form for extension of time is enclosed.

Yours very truly,

Joseph M. Tracy

Joseph M. Tracy
STATE ENGINEER
STATE CAPITOL
SALT LAKE CITY, UTAH

ADDRESS ALL COMMUNICATIONS TO:

le

Encl. F-29

PROOF DUE - - - ADV. REQUIRED

In reply refer to:
L54-L

Zion and Bryce Canyon National Parks
Springdale, Utah

November 20, 1953

660-05.7
Bryce Canyon

Memorandum

To: Regional Director, Region Three

From: Superintendent, Zion and Bryce Canyon

Subject: Yovimpa Springs Water Rights, Application 20278, Docket No. 1, Bryce Canyon.

Our recommendations for action to complete proof is in favor of proposal number 3: "To install a pump with a capacity of 25 or 30 gallons per minute, and make proof on the same average August spring flow."

Achieving such a condition we believe will require more work than merely introducing a temporary pump of adequate capacity. Operation of the system over the past season has revealed certain conditions which should also receive study in master plan and construction program changes.

Of most concern is the change of spring flow. We formerly collected most all water in the sump. Employees familiar with the operation report that after a series of earth shocks about two years ago most of the water seeped out of the earth some 10 feet below the present collecting sump. This past summer we did not collect enough water at times to supply our needs. The project will therefore require a new collecting sump and setting the pump to the lower sump.

The delivery line as installed for the 15 gpm pump may not handle a larger pump of 30 gpm without unduly increasing the horsepower of the power unit.

We would appreciate study by a qualified engineer to resolve the problems involved and aid us in preparing a satisfactory construction program.

If the study results in requirements costing more than can be provided from 1954 or 1955 funds it may be necessary to make final proof on the basis of the existing pump and the right to 21,600 gallons per day. However, we believe the best proposal for the future of Bryce Canyon is proposal No. 3.

Paul R. Franke
Superintendent

PRF:lal

FORM L18 10-51 10M

THE STATE OF UTAH

OFFICE OF STATE ENGINEER

SALT LAKE CITY

September 14, 1953

U. S. of America, Dept. of Interior
National Parks Service
Washington, 25, D. C.

ATTENTION: Mr. A. Van W.Dunn, Chief
Water Resources Branch

Gentlemen: RE: APPLICATION 20278

Request for Extension of Time in which to submit Proof of Appropriation or Proof of Change contemplated by the above application has been considered and the time for receiving proof is hereby extended from September 20, 1953 to May 12, 1955, inclusive, which is the end of the 14-year period.

Yours truly,
Joseph M. Tracy

Joseph M. Tracy
STATE ENGINEER
403 STATE CAPITOL
SALT LAKE CITY 1
UTAH

ADDRESS ALL COMMUNICATIONS TO:

le

EXTENSION GRANTED

P. S. Although this extension is granted in accordance with the provisions of the law, I earnestly recommend that you proceed to prepare and submit proof at the earliest possible date. One cannot foresee what contingencies might arise in the future; the present possession of your certificate might stand you in good stead.

09-04-1953: letter: enclosed is a request for an extension of time; september 04, 1953

In reply refer to:
L5h-L

September 4, 1953

Re: Application 20278, Appropriation of Waters of Tovimpa Spring, Bryce Canyon National Park

Mr. Joseph H. Tracy
State Engineer
Salt Lake City, Utah

Dear Mr. Tracy:

Enclosed is a request for an extension of time in which to provide a larger pump to permit full diversion of the authorized quantity of water under the subject permit. Although water consumption is increasing annually, the present pump will be adequate for another year or two, and its replacement is being deferred during the present attempt to balance the Federal budget.

Sincerely yours,

(SGD.) A. VAN V. DUNN.
A. van V. Dunn
Chief, Water Resources Branch

Enclosure

Copy to: Regional Director, Region Three (2)

AvanVDunn:sh

Form L25 7M 10-50
ARROW PRESS

IN THE OFFICE OF THE STATE ENGINEER OF THE STATE OF UTAH

REQUEST FOR ~~REINSTATEMENT AND~~ EXTENSION OF TIME
(Strike words not needed)
(Before Fourteen Years)

APPLICATION NO. 20278

CITY OF WASHINGTON
~~STATE OF UTAH~~)
~~COUNTY OF~~ DISTRICT OF COLUMBIA) ss.

A. van V. Dunn, being first duly sworn says that he is the ~~owner or the~~ agent of the owner of the above numbered Application; that he knows of his own knowledge that the construction of works as contemplated by the Application was actually commenced ~~either~~ prior to ~~months after~~ the date of approval of the Application, and that the work has since been prosecuted with diligence.

The nature, extent and approximate cost of construction work done to this date, together with a detailed statement of use to which the water has been put, is as follows: (Describe briefly the type and extent of construction, whether impounding or diversion dam, or diverting channels and give the cost of construction. Indicate what part of the water, if any, covered by this Application has been put to beneficial use, the number of acres irrigated, etc. Mere statement as to general character of works, costs and use will not answer,—give details sufficient for one to determine what has actually been done.)

The water system has been constructed and is in operation, but with temporary, undersized pump, at cost of approximately $8,000.

The nature, extent and estimated cost of construction remaining to be done to complete the work in accordance with the Application follows: (Describe with same details as required last above.)

A pump of authorized capacity will be provided when municipal demand justifies such action.

(OVER)

Request is made for reinstatement and extension of time for filing
(Strike words not needed)
proof from September 20 , 19 53 , to September 20 , 19 55. Reasons why extension should be granted are: (Give reasons why the work could not be completed and the water put to beneficial use within the time heretofore allowed and why conditions now will permit the completion of the works and filing of proof within the time requested. Be specific in statement.)

The existing 15 gpm pump is still slightly more than adequate for the demand and the installation of larger pump is being deferred until needed, as an economy measure, or until the Park attendance and water demand cease to increase annually.

Affiant upon oath states that he or the owner of the Application, whom he represents, has a bona fide intention and the financial ability to complete the works and to apply the water to beneficial use as provided in the Application, within the period of extension requested.

A. van T. Dunn
Chief, Water Resources Branch, Applicant
National Park Service
(If a corporation, specify the title of the officer making the affidavit and affix corporate seal)

Subscribed and sworn to before me this 26th day of August 1953

Lorin A. Davis
Notary Public, D. C.
My Commission Expires November 14, 1956
Notary Public

NOT TO BE FILLED IN BY APPLICANT

Application No._____ Request due_____ Recd._____
Applicant_____
Source_____
14 year period ends_____

Request for extension approved / rejected ; time for submitting proof is hereby extended from _____ to and including_____

_____ Date

_____ STATE ENGINEER

FORM LIB 3M

Dept. Bryce Canyon

THE STATE OF UTAH

OFFICE OF STATE ENGINEER

SALT LAKE CITY

August 14, 1951

Bryce Canyon Nat'l Park

U.S. of America, Dept. of Interior
National Parks Service
Washington 25, D.C.

Gentlemen: Attention: Mr. A. Van v. Dunn, Chief
Water Resources Branch

RE: EXT. GRANTED APPLICATION NO. 20278

This will acknowledge receipt of your request of Aug. 3, 1951 for Extension of Time in which to submit Proof of Appropriation or Proof of Change contemplated by Application No. 20278

The matter has been considered and the time for submitting proof has been extended from Sept. 20, 1951 to Sept. 20, 1953 inclusive.

Yours very truly,

Joseph M. Tracy

Joseph M. Tracy
STATE ENGINEER

ADDRESS ALL COMMUNICATIONS TO:
403 STATE CAPITOL
SALT LAKE CITY 1, UTAH

eca

Extension Granted

RECEIVED
OCT 12 1951
ZION NATIONAL PARK

Form L25 7M 10-50
ARROW PRESS

IN THE OFFICE OF THE STATE ENGINEER OF THE STATE OF UTAH

REQUEST FOR ~~REINSTATEMENT AND~~ EXTENSION OF TIME
(Strike words not needed)
(Before Fourteen Years)

APPLICATION NO. 20278

CITY OF WASHINGTON
~~STATE OF UTAH~~)
~~COUNTY~~ OF DISTRICT OF COLUMBIA) ss.

A. van V. Dunn, being first duly sworn says that he is the ~~owner or the~~ agent of the owner of the above numbered Application; that he knows of his own knowledge that the construction of works as contemplated by the Application was actually commenced ~~within~~ prior to ~~months after~~ the date of approval of the Application, and that the work has since been prosecuted with diligence.

The nature, extent and approximate cost of construction work done to this date, together with a detailed statement of use to which the water has been put, is as follows: (Describe briefly the type and extent of construction, whether impounding or diversion dam, or diverting channels and give the cost of construction. Indicate what part of the water, if any, covered by this Application has been put to beneficial use, the number of acres irrigated, etc. Mere statement as to general character of works, costs and use will not answer,—give details sufficient for one to determine what has actually been done.)

The water system has been completed at a cost of approximately $8,000, except that a pump with capacity of only 15 gpm has been installed temporarily.

The nature, extent and estimated cost of construction remaining to be done to complete the work in accordance with the Application follows: (Describe with same details as required last above.)

Existing pump will be replaced with one adequate to divert authorized quantity of water when the annually increasing water demand approaches full capacity of existing pump.

RECEIVED
OCT 12 1951

Request is made for ~~reinstatement and~~ extension of time for filing
(Strike words not needed)
proof from September 20 , 19 51 , to September 20 , 1952 . Reasons why extension should be granted are: (Give reasons why the work could not be completed and the water put to beneficial use within the time heretofore allowed and why conditions now will permit the completion of the works and filing of proof within the time requested. Be specific in statement.)

The water use is not yet great enough to justify the expense of larger pump, but is increasing with the annual increase in the number of Park visitors. The attendance at the Bryce Canyon reached 209,397 in 1950, an increase of 17,300 over the 1949 attendance, and an increase of 110% in the last decade.

Affiant upon oath states that he or the owner of the Application, whom he represents, has a bona fide intention and the financial ability to complete the works and to apply the water to beneficial use as provided in the Application, within the period of extension requested.

/s/ A. van V. Dunn
Chief, Water Resources Branch, Applicant
National Park Service.
(If a corporation, specify the title of the officer making the affidavit and affix corporate seal)

(SEAL)

Subscribed and sworn to before me this 30th day of July 1951

/s/ Lorin A. Davis
Notary Public D. C.

My Commission Expires Nov. 14, 1951.

NOT TO BE FILLED IN BY APPLICANT

Application No._____ Request due_____ Recd._____
Applicant_____
Source_____
14 year period ends_____

Request for extension approved / rejected ; time for submitting proof is hereby extended from _____ to and including_____

_____ Date

_____ STATE ENGINEER

07-18-1951: letter: re: application no. 20278 proof due; july 18, 1951

Form L21 7000 8-47

L 54 BR4C

THE STATE OF UTAH

OFFICE OF STATE ENGINEER

SALT LAKE CITY

July 18, 1951

United States of America
Department of the Interior
National Parks Service
Washington 25, D. C.
c/o Mr. A. Van V. Dunn, Chief, Water Resources Branch

Richey
Dunn

Gentlemen:

RE: APPLICATION NO. 20278

Proof as contemplated by Application No. 20278 will be due Sept. 20, 1951 . Such proof, together with maps, profiles and drawings and the statutory filing fees, must be received in this office on or before that date. "Failure to make proof of appropriation or proof of change of water on or before the date set therefor, shall cause the Application to lapse." (Section 100-3-17 Utah Code Annotated 1943.)

Blank forms upon which proof must be submitted and a copy of the Rules and Regulations will be sent upon request. Upon receipt of the proof it will receive an office examination after which a field inspection will follow.

PROOF DUE

An extension of time for filing proof will be granted only upon the filing of a written request for extension made in affidavit form, showing diligence or a reasonable cause for delay and containing the following information:

1. Amount of work done and approximate cost.
2. Amount of work remaining to be done and its estimated cost.
3. Reason for extension and time desired.

Yours very truly,

Joseph M. Tracy

Joseph M. Tracy
STATE ENGINEER
403 STATE CAPITOL
SALT LAKE CITY 1, UTAH

ADDRESS ALL COMMUNICATIONS TO:

le
Encl: F L-25

02-12-1951: letter: received notice of proof due; february 12, 1951

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
WASHINGTON 25, D. C.

In reply refer to:
L54 BRYC

February 12, 1951

Mr. Joseph H. Tracy
State Engineer
403 State Capitol
Salt Lake City 1, Utah

Dear Mr. Tracy:

We have received your notice of proof due under Application No. 14066 for the appropriation of waters of Yovimpa Spring in Bryce Canyon National Park. This application has been superseded by Application No. 20278 for the appropriation of the same waters for municipal purposes. Accordingly, Application No. 14066 may now be cancelled or withdrawn.

Sincerely yours,

(SGD.) A. VAN V. DUNN.

A. van V. Dunn
Chief, Water Resources Branch

Copy to: Regional Director, Region Three (2)

AvanVDunn:sh

09-06-1950: memorandum: water right application no. 20278; september 06, 1950

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
WASHINGTON 25, D. C.

In reply refer to:
L54 ZION

Memorandum

SEP - 6 1950

To: Regional Director, Region Three

From: Acting Director Tolson

Subject: Water Right Application No. 20278 for Appropriation of Waters of Yovimpa Springs, Bryce Canyon National Park

Enclosed are four copies of a letter of July 21 from the State Engineer of Utah returning the proof on the above application and indicating that he is treating it as a withdrawal on the basis of our letter of June 20. Also enclosed are two copies of the letter of June 20, of which you already have received copies, and two copies of the proof, including the map.

The gist of the matter is that the State Engineer will not grant a certificate for more water than the present pump can deliver, even though the water is claimed for municipal purposes and a larger pump can be installed when needed. We certainly do not need a larger pump at this time. There is some question as to whether the ultimate use will ever exceed the 0.0426 second-foot which the present pump can deliver, but since the spring flow is greater, and sources of unappropriated water are limited in the Park, we propose to defer final proof as long as possible.

Accordingly, please have one copy of the letter of June 20, one copy of the letter of July 21, and the proof with map, inserted at the top of each assembly of Bryce Canyon Deed 3 in your office and at the Park.

(SGD) HILLORY A. TOLSON

Acting Director

Attachments 4

In duplicate

Copy to: Mr. Dunn

AvanVDunn:sh

COPY

Harold A. Linke
State Engineer

THE STATE OF UTAH
OFFICE OF STATE ENGINEER
SALT LAKE CITY

July 21, 1950

L84 ZION

United States of Interior,
National Parks Service,
Washington 25, D.C.,

c/o Mr.A. Van V. Dunn, Chief, Water Resources Branch

Gentlemen: Re: APPLICATION NO.20278

This acknowledges receipt of your letter dated July 17,1950 relative to the proof of appropriation pertaining to the above-captioned application. You are advised that a search has been made and the written part of the proof under this appropriation does not appear to be in this office.

It appears upon reading the letter dated June 20, 1950, signed by A. E. Demaray, Associate Director, that the appropriation as contemplated under this application has not been completed, that at the present time you are diverting and making use only of part of the water, but contemplate using all of it at a later time. For the reason that proofs of appropriation are based only upon actual accomplishment and not contemplations, it would be impossible to issue a certificate at this time showing, more than the present appropriation of the water. It is deemed advisable therefore, since the time set for submitting the proof under this application has not yet expired, that the present proof be withdrawn and a request for an extension of time within which to submit the proof be filed in this office. The letter above referred to, signed by Mr. A. E. Demaray, may be considered as a formal request for the withdrawal of the proof. Returned to you herewith, therefore, is your duplicate copy of the written proof, and under separate cover two sheets of tracing, all pertaining to proof of appropriation, Application No. 20278. Our records have been endorsed to show this proof as having been withdrawn.

Request for extension of time for submitting proof of appropriation must be submitted in affidavit form, one blank for which is furnished herewith. It is suggested that the request be withheld until near the due date of the proof, i.e., September 20, 1951, and if during the interim the development is completed as you contemplate, the proof may be resubmitted, and there will be no necessity of requesting an extension of time. The request for an extension, however, must be received in this office on or before the due date of the proof, otherwise the application will lapse.

Yours very truly,
HAROLD A. LINKE
State Engineer
By: L. C. HOKSON
Chief Deputy State Engineer

HEV/eb
Enc: Request for Extension of Time Blank Written Proof

07-17-1950: letter: unable to account for your not having received written proof; july 17, 1950

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
WASHINGTON 25, D. C.

In reply refer to:
L5h ZION

JUL 17 1950

Registered Mail
Air Mail

Mr. Harold A. Linke
State Engineer
Salt Lake City, Utah

My dear Mr. Linke:

We are unable to account for your not having received our written proof under application No. 20278 as reported in your letter of July 11, since you acknowledge receipt of the proof maps. I personally delivered the maps, written proof, and a forwarding letter of June 20 from the Associate Director to our mail room, and saw them all rolled together and the wrapping started. I did not wait to see the wrapping completed, and it is possible that the clerk may have been interrupted and allowed the wrapper to come apart.

I have searched all files where the written matter might have been placed if not actually mailed, and find no trace of it. Accordingly, a duplicate proof and a copy of Mr. Demaray's forwarding letter are enclosed herewith. I have bracketted in pencil the additional statements which were added after the proof was returned with your letter of May 31. This duplicate was prepared and compared with the original when the proof was first typed. However, it does not include the pencil notations which you made on the original between May 19 and 31.

It is hoped that you can accept these substitutions. If not, we request that you also investigate the possibility that the instruments may have become separated and misplaced in your office. As a further possibility, the instruments may have become attached to other outgoing mail here, and may be returned from the recipient. We will forward them if returned.

Yours sincerely,

(SIGNED)

A. van V. Dunn
Chief, Water Resources Branch

Enclosures 2

Copy to: Regional Director, Region Three (2)
✓Mr. Dunn

AvanADunn:mam

Proof of Appropriation
on
Application No. 20278

Proof of Appropriation on Water for ~~Domestic and~~ Municipal Purposes

STATE OF UTAH

Do not fill out this blank until you have read carefully the pamphlet on "Rules and Regulations" and Instructions in the body and on the back hereof.

1. *The name of the appropriator is* United States of America
2. *The post-office address of the appropriator is* National Park Service, Washington 25, D. C.
3. *The quantity of water appropriated is* 0.1 *second-feet or* -- *acre-feet*
4. *The water is used each year from* January 1 (Month) (Day) *to* December 31 (Month) (Day) *incl.,* (See paragraph 4 under "Rules and Regulations" on page 4 hereof)
   and stored each year (if stored) from ..... (Month) (Day) *to* ..... (Month) (Day) *incl.*
5. *The drainage area to which the direct source of supply belongs is* ..... (Leave Blank)
6. *The direct source of supply is*† Spring Area at Yovimpa Springs (Name of stream or other source) *which is tributary to* Lower Podunk Creek, *tributary to* Paria River

†NOTE—If water is diverted from a well, an underground drain or a tunnel, the source should be designated as "Underground Water" in the first space and the remaining spaces should be left blank. If the source is a stream, a spring, a spring area, or a surface drain, so indicate in the first space, giving its name, if named, and in the remaining spaces designate the stream channels to which it is tributary, **even though the water may sink, evaporate, or be diverted before reaching said channels.** If water from a spring flows in a natural surface channel before being diverted, the direct source should be designated as a stream and not a spring.

7. *The point of diversion from* ~~*stream, spring,*~~ *spring area,* ~~*drain, well (flowing or pump), tunnel, or*~~ -- (Strike words not needed) *is in* Kane *county, situated at a point** N49°07'08"W 7205.58 ft. from NE Cor. Sec. 4, T39S, R4W, SLB&M, in unsurveyed land.

*NOTE—Give the location of the point at which the water is first diverted from its source or channel with reference to a United States survey corner or mineral monument. In case of storage on the natural channel of source of supply, describe the point of intersection of stream bed with the center line of impounding dam. If a spring area, describe the point at which water is collected and diverted therefrom, and under General Remarks give a description by metes and bounds of said area.

8. *The diverting and carrying works consist of* tile collecting pipe, concrete collecting sump, pump unit and galvanized iron pipe.
9. *The length of the diverting channel, exclusive of laterals, is* 7,450 *feet*
10. *The top width of the diverting channel is (if a ditch)* -- *feet*
11. *The bottom width of the diverting channel is (if a ditch)* -- *feet*
12. *The depth of water in the diverting channel is (if a ditch)* -- *feet*
13. *The width of the diverting channel is (if a flume)* -- *feet*
14. *The depth of water in the diverting channel is (if a flume)* -- *feet*
15. *The diameter of the diverting channel is (if a pipe)* 2 *inches*
16. *The* ~~*grade of the diverting channel is*~~ pump lift is 825 *feet* ~~*per thousand*~~
17. *The place where the water is used is* those portions of T's. 36 & 37 S, R3W, and T's. 36, 37, 38, and 39 S, R4W, SLB&M, in Bryce Canyon National Park, with point of diversion from distribution reservoir N1°37'W 9071.10 ft. from NE Cor. Sec. 4, T39S, R4W, SLB&M.

NOTE—Give place of use by legal subdivisions of section, township, and range of United States land survey, also by name if use is in town or city. If equalizing or distributing reservoir is used, give location of point of diversion therefrom by reference to a United States survey corner or mineral monument.

18. *Construction of works was commenced** -- *19*..., *and completed* October *19* 46
    *Date of first work subsequent to approval of Application. (See also the note under General Remarks.)
19. *Works were first used to convey water* May 12, *19* 47
20. *Water was measured by* F. C. Fagergren (Name of hydrographer) *Date* June 11, *19* 48.
21. *Water was measured by* ~~*vessel, weir, reservoir capacity, or by*~~ (Strike words not needed)

‡(Give sufficient data under General Remarks to enable State Engineer to check the water measurements. It is necessary that the results of a series of such measurements be given.)

GENERAL REMARKS

NOTE—Give detailed description of the diverting and carrying works, tracing the water from point of diversion to place of use; give length and dimensions of each type of diverting channel. If all works necessary to apply the water to use were constructed prior to the time of approval of the Application herein described, so indicate and give a history of the development work. Name other rights, if any, to which this water is supplemental; also, name other rights, if any, the owners of which use these same works as a means of diversion and conveyance. If other uses incidental to the principal use are included in this proof, give period and extent of such uses.

Water is collected in 4-inch tile pipe in gravel filled trenches along fault in water-bearing aquifer in spring area described as: Beg. at 36-inch pine in unsurveyed land N49°54'40"W 7,313.52 ft. from NE Cor. Sec. 4, T39S, R4W, SLB&M, thence on following traverse N26°00'E 150.0 ft. to beg. The tile pipe line conveys the water to a 5,000-gallon collecting sump within the spring area. The diversion point, where water enters the sump, is N49°07'08"W 7,205.58 ft. from aforesaid NE Cor. Sec. 4.

A John Bean pump of 15 g.p.m. capacity, driven by 16 HP gasoline engine, delivers the water through 7,450 feet of 2" GI pipe to an elevated steel distribution reservoir of 5,000-gallon capacity in unsurveyed land at the Rainbow Point area of Bryce Canyon National Park. (Pump is high pressure plunger type.*)

The flow from the spring area was measured June 11, 1948, by draining the collecting sump and then observing the rate at which it refilled with water from the collecting tile. The sump is 11.0 ft. x 11.0 ft. in plan, with bottom 3 in. lower at end under manhole than at other. Water reached 32 in. depth under the manhole in 60 minutes, giving flow of 2,300 g.p.h., or 0.0854 sec. ft. On May 20, 1949, the overflow from sump filled 5-gallon can in 5 seconds, and not all flow was diverted, indicating available supply greater than 0.1335 sec. ft.

The water is used for municipal purposes in that portion of the Park near Rainbow Point. Nearly all visitors to the Park visit Rainbow Point and use the facilities. Annual Park attendance is plotted on accompanying proof maps. Attendance for the travel year ending September 30, 1949, was 192,097 people, or 110% of that in 1948.

Construction of this water system, and other facilities for water use, was started during the summer of 1941 under Application 14066 filed February 11, 1941, and approved May 15, 1941 by State Engineer, and completed in October 1946. First beneficial use was made of the water in June 1947. The State Engineer rejected proof for municipal purposes under Application No. 14066. On receipt of Certificate of Appropriation under Application No. 20278, the United States will withdraw Application No. 14066 for the appropriation of the same water, but nothing herein, or in the withdrawal of Application No. 14066, shall be deemed to constitute a waiver or relinquishment by the United States of any rights, title, priority, or interest it may otherwise have to the use of the water from this spring area or any other water in the State of Utah.

(* Installed pump ran 10:00 a.m. to 2:30 p.m., May 13, 1947, filling tank at 0.0426 cubic foot per second. Larger pump scheduled when needed.)

07-17-1950: certificate of appropriator; july 17, 1950

CERTIFICATE OF APPROPRIATOR

(Fill in blank spaces but do not sign until proof has been submitted to the State Engineer and accepted as sufficient.)

~~STATE OF UTAH,~~ CITY OF WASHINGTON } ss.
~~COUNTY OF~~ DISTRICT OF COLUMBIA }

I, A. E. Demaray, Associate Director, National Park Service, Department of the Interior being first duly sworn, do hereby certify that I am ~~the person, assignee, or the~~ agent of the United States of America ~~who or~~ which made an Application to appropriate water from Yovimpa Spring Area in Kane county for domestic and municipal purposes; that said Application is filed in the State Engineer's office as No. 20278; that the works necessary to accomplish the diversion and perfect the appropriation of water in accordance with the said Application have been completed; that the foregoing statement of facts is submitted in proof of the completion of said works and the appropriation of said water; that I made the said statement and that each and all of the items contained therein are true to the best of my knowledge and belief.

/s/ A. E. Demaray
Signature of Appropriator.

Subscribed and sworn to before me this 17th day of July, 19 50
(Seal) (SEAL)
My commission expires ....., 19.....
My commission expires February 14, 1953.

/s/ Leo J. Bittner
Notary Public.

CERTIFICATE OF DISINTERESTED WITNESSES

(One witness should be the engineer who prepared proof maps, etc. Fill in blank spaces but do not sign until proof has been submitted to the State Engineer and accepted by him as sufficient.)

STATE OF UTAH, } ss.
COUNTY OF ..... }

..... and .....having both been duly sworn, each for himself says that he is personally acquainted with the works constructed by.....

.....

for the diversion and appropriation of water from.....
in.....county for domestic and municipal purposes; that said works have been fully completed and used to the extent and in the manner particularly set forth in the foregoing statement of facts; that he has read said statement and that each and all of the items therein contained are true to the best of his knowledge and belief.

.....
Signature of Witness.

.....
Signature of Witness.

Subscribed and sworn to before me this.....day of....., 19.....
(Seal)
My commission expires....., 19.....

.....
Notary Public.

STATE ENGINEER'S ENDORSEMENTS

Dates

.....Application received in State Engineer's office; Approved.....
.....Proof of Appropriation due in State Engineer's office.
.....Written proof and maps received in State Engineer's office by.....
.....Written proof and maps returned for correction by.....
July 19, 1950...Corrected written proof and maps resubmitted, received by TM.....
.....
.....Corrected written proof and maps examined and Certificate written by.....
.....Certificate of Appropriation issued (No.....)
.....Maps, profiles, and drawings filed in Book.....page.....
.....Fee for filing proof and maps $6.00, received by.....Receipt No.....
.....Fee for issuing Certificate $1.00, received by.....Receipt No.....

This written proof and the maps, profiles, and drawings pertaining thereto are found to comply with the requirements of the Laws of Utah, and the same are hereby approved.

....., 19.....

State Engineer.

Proof of Appropriation
on Application No.....

FEES REQUIRED BY LAW FOR STATE TREASURY

For examining and filing written proof.....$1.00
For examining and filing maps, profiles, and drawings.... 5.00
For issuing certificate of appropriation..... 1.00

Proof of Appropriation

RELATIVE TO

Application No._____ MADE BY

TO

Appropriate Water

FROM

FOR

Domestic and Municipal Purposes

RULES AND REGULATIONS

Each Proof shall consist of two parts: (a) a written proof and (b) a sheet or sheets of maps, profiles, and drawings. The maps must be prepared in accordance with Rules and Regulations published in pamphlet form by the State Engineer, a copy of which will be furnished upon request.

No Proof will be marked "received" until the statutory fees ($1 for the written proof and $5 for the maps) have been paid and the written proof, maps, profiles, and drawings submitted.

If there is insufficient information in the Proof to indicate that the water sought to be appropriated has been applied to beneficial use, as provided in the Application, the Proof will be returned to the applicant for the necessary corrections, additions, or deletions. These amendments must be made and the Proof returned to the office within the time allowed by the State Engineer in his letter returning the Proof.

Each written proof shall contain details of water measurements made to determine the quantity of water applied to beneficial use. Such details shall include a description of the method used in making the measurement, the date when made, the name of the person making the measurement, and sufficient information to enable the State Engineer to compute the quantity of water measured in each case. Where the source of supply is of a fluctuating nature, a series of measurements should be submitted to show the variation in flow and the period or periods during which it is available.

Water measurements may be made by vessel, weir, meter, rated flume, reservoir capacity curve or other accepted standard method of measurement; but not by floating chip or theoretical carrying capacity of conveying channel.

All ties to points of diversion, points of rediversion, points of return, points of beginning of descriptions of irrigated areas, etc., must be given with reference to a regularly established U. S. land corner or mineral monument if within a distance of six miles of either; otherwise to a permanent and prominent natural object.

When Proof is made under an Application to appropriate water for municipal purposes, Certificate will be granted for the quantity of water actually impounded if storage is involved or such quantity of water in direct flow as the constructed works will convey to the actual place of use; provided, the Proof shows conclusively that the water is available.

All maps must be submitted on sheets of tracing linen having dimensions of 24" x 30" and a margin of at least 1½" on all sides.

07-11-1950: letter: re: application no. 20278; july 11, 1950

Received 7/14

THE STATE OF UTAH
OFFICE OF STATE ENGINEER
SALT LAKE CITY

HAROLD A. LINK
STATE ENGINEER

July 11, 1950

Mr. A. van V. Dunn
Chief, Water Resources Branch
United States Department of the Interior
National Park Service
Washington 25, D. C.

Dear Sir: RE: APPLICATION NO. 20278

Under date of May 19 of this year, there was returned to you, Proof of Appropriation consisting of two sheets of tracing and one set of Written Proof, for completion.

The Proof maps were received in this office June 26 but to date the Written Proof has not been received. Will you, therefore, kindly return the Written Proof without delay, in order that the Certificate of Appropriation might be issued?

Yours truly,

Harold A. Linke
STATE ENGINEER

FWC/vm

Bel Iron
Loan 6533

06-21-1950: memorandum: yovimpa spring water right application 20278; june 21, 1950

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
WASHINGTON 25, D. C.

In reply refer to:
L54 ZION

June 21, 1950

Memorandum

To: Regional Director, Region Three

From: Chief, Water Resources Branch

Subject: Yovimpa Spring Water Right - Application 20278

This will acknowledge the memorandum of June 14 from Mr. Lassiter with records of water pumped through the above-designated water system.

The quantities of water are too small and do not include the time limit needed for the proof prescribed by the State Engineer. It is also doubtful if we can make proof for the desired quantity of water with the existing pump, on the basis of requirements prescribed by the new State Engineer. However, we have submitted proof, using the first pump test, with the request that it be returned and an extension of time granted if the pump capacity is to control. You have doubtless received the copies of the letter transmitting the proof.

(SGD.) A. VAN V. DUNN

A. van V. Dunn
Chief, Water Resources Branch

In duplicate

AvanVDunn:sh

06-20-1950: letter: tracing no. np-8c-6953; june 20, 1950

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
WASHINGTON 25, D. C.

In reply refer to:
L54 ZION

JUN 20 1950

Mr. Harold A. Linke
State Engineer
Salt Lake City, Utah

My dear Mr. Linke:

We enclose the tracing No. NP-8C-6953, in 2 sheets, Plan of Diversions of Yovimpa Springs Area for Municipal Water System, Bryce Canyon National Park, and the written proof in connection with the perfection of rights under Application No. 20278. We are submitting them at this time to meet the dead-line of July 5 which you set in your letter of May 19.

You will note that the present pump installation has a capacity of only about 42% of the average yield of the spring area as determined by two measurements. The information was implied in the proof as submitted for your preliminary review, but we have clarified the matter by adding the last sentence under "General Remarks" in accordance with the instructions in your letters of May 19 and 31.

You will also note from the chart of annual Park attendance on sheet 2 of the Plan of Diversions that the number of visitors is increasing rapidly, and that the number in 1949 was relatively close to that to be expected from the pre-war trend. It happens that the pre-war trend of attendance at Bryce Canyon was greater than the average for the 26 parks for which there were records at the time. Using the composite trend, the attendance at Bryce Canyon in 1949 should have been 191,360 visitors, and the actual count was 192,097. Using only the lower average trend for the 26 parks, the attendance at Bryce Canyon may be expected to reach 370,000 people in 1965. There is enclosed a copy of the derivation of the general trends of attendance which the Chief of our Water Resources Branch has just made.

It happens that the post-war attendance at Bryce Canyon has increased despite the fact that practically no additional accommodations have been provided since before the war. Accordingly, there may be somewhat of a lag during the next 15 years, between the actual water use and the water demand to be satisfied when adequate accommodations are provided.

For these reasons, we have deliberately temporarily installed a somewhat small diversion system with the idea that much of it may have to be replaced because of age, before the ultimate water demand can be made. Accordingly, if the water laws of Utah force you to limit the water right in accordance with the capacity of the temporary installation it will probably be better not to make proof at this time.

We hope that you can accept the proof on the basis of the yield of the spring area and apparent ultimate demand. If not, please return the proof and accept this as a request for an extension of time.

Sincerely yours,

(SIGNED)

A. E. Demaray
Associate Director

Enclosures 4

Copy to: Regional Director, Region Three (2)
Mr. Dunn

AvanVDunn:sh

WR Copy

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
Region Three
Santa Fe, New Mexico

In reply refer to:
L54 ZION

June 14, 1950

Air Mail

Memorandum

To: Director

From: Regional Engineer

Subject: Proof on Yovimpa Water Rights, Bryce Canyon National Park

As requested in Mr. Demaray's memorandum of May 24, we are enclosing two copies of Superintendent Smith's memorandum of June 12 reporting on the quantity of water pumped from Yovimpa Spring in 1948 and in 1949. His memorandum also shows the daily amount pumped of July 2, 3, 4, and 5 in 1949.

It is hoped with this information you will be able to prove beneficial use and obtain final decree on this water right.

(SIGNED)

J. R. Lassiter
Regional Engineer

Attachment

Copy to: Supt., Zion-Bryce Canyon

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE

In reply refer to:
L64 210M

Zion and Bryce Canyon National Parks
Springdale, Utah

June 12, 1950

Air Mail

Memorandum

To: Regional Director, Region Three

From: Superintendent, Zion and Bryce Canyon

Subject: Proof on Yovimpa Water Rights, Bryce Canyon National Park

In 1948 between May 24 and September 24 the opening and closing dates, we pumped 57,000 gallons of water at Yovimpa Spring. In 1949 between May 25 and September 22 we pumped 77,000 gallons of water.

The best record we have on a daily basis is over the July 4 week end in 1949. At that time on July 2 we pumped 1,000 gallons of water, July 3, 2,000 gallons; July 4, 2,000 gallons; July 5, 1,500 gallons.

We do not have a similar record for 1948 other than to know it was approximately the same as in 1949.

(SGD) CHAS. J. SMITH
Chas. J. Smith
Superintendent

In triplicate

06-06-1950: memo for files; june 12, 1950

Memo for Files

6/12/50

Memo of Dec 10, 1947

May 13, 1947 Pump Started 10:00 AM Tank Empty

Pump Stopped 2:30 PM Tank Full 5,000 gal

4½ hrs 5,000

= 270 minutes = 5000 gal

= 18.5 gpm
(18.518518 gpm)

In 24 hours 26,668 gallons

= 0.0426 c.f.

06-06-1950: estimate of future attendance; june 12, 1950

Do not type

By a Canyon

Estimate of Future Attendance

(Average Trend of 26 Parks from 1941 = year zero.

111 49

Y = 124,098 · 1.05564 ^X

1947	1949	1965	
0.023516 × 6	0.023516 × 8	0.023516 × 24	
0.141096	0.188128	0.564384	
5.093764	5.093764	5.093764	
5.234860	5.281892	5.658148	
171,740	191,380	369,950	Est. Att.
159,043	192,097		Act Att.

6/13/50.

C O P Y

THE STATE OF UTAH
OFFICE OF STATE ENGINEER
SALT LAKE CITY

HAROLD A. LINKE
STATE ENGINEER

May 31, 1950

United States Department of the Interior
National Park Service
Washington 25, D. C.

Attention: Mr. A. van V. Dunn, Chief, Water Resources Branch

Gentlemen: RE: APPLICATION NO. 20278

In submitting the water measurement in the proof referred to in my letter of May 19, 1950, it was made clear that the water measurement did not show the ability of the system between the spring area and the distribution system to convey the water which was measured. It will therefore be necessary for you to submit further evidence that the system between the pumping plant and the storage reservoir at the head of the distribution system actually will carry the water in sec.-ft. which you have measured, i.e., submit the water measurement showing that the pipe line conveying the water from the pump to the park distribution system has a capacity to carry the water measured at the spring area. The following procedure would be sufficient to complete the water measurement:

Submit measurement made before proof was submitted showing the flow in sec.-ft. entering the tank at the head of the distribution system. Naturally this should be the maximum flow pumped, but cannot exceed the yield of the spring area.

If such a measurement was not made before proof was submitted and it thus becomes necessary to now make the measurement, it must be shown that the system from pump to tank at head of distribution system is now the same as before proof was submitted, and that no changes have been made so as to increase its capacity.

Yours truly,

/s/ H. A. Linke

Harold A. Linke
STATE ENGINEER

FWC:urq

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
WASHINGTON 25, D. C.

In reply refer to:
L54 ZION

Air Mail MAY 24 1950

Memorandum

To: Regional Director, Region Three

From: Associate Director

Subject: Proof on Water Right Application 20278, Yovimpa Spring Water System, Bryce Canyon National Park

The State Engineer has just returned the written proof and map, with a request that we add records of water actually pumped and put to beneficial use, despite the fact that the previous State Engineer advised that this information was not necessary in connection with rights for municipal purposes, as explained in his memorandum of May 11, 1940, of which you have a copy. We have until July 5 in which to complete the proof in its final form and submit it to the State Engineer.

Our records show the amount of water pumped by months during the summer of 1947, as submitted in the proof under related Water Right Application 14066. Please supply us at once with any data you have on the amount of water pumped during the summers of 1948 and 1949.

Since the quantity of water is measured in second-feet, a monthly average of the quantity gives a low figure. Accordingly, in addition to the monthly averages, if available, we should like to have the dates of pumping and the quantity pumped for several consecutive days at the peak of the season in 1948 and 1949. It would also help to know the hours during which the pump was operated, if available, in order that we may show both the rate at which the water was actually pumped to the reservoir and the period in which the maximum amount of water was actually drained from the reservoir for beneficial use.

We should like to have this information not later than June 15.

(SGD) A. E. DEMARAY
Associate Director

In duplicate

Copy to: Mr. Dunn
AvanVDunn:sh

05-24-1950: letter: amount of water put to beneficial use; may 24, 1950

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
WASHINGTON 25, D. C.

In reply refer to:
L54 ZION

May 24, 1950

Mr. Harold A. Linke
State Engineer
Salt Lake City, Utah

My dear Mr. Linke:

In your letter of May 19 returning the map and written proof under Application 20278, you ask for the record of the amount of water which has actually been put to beneficial use, and the type of pump classified as to centrifugal, rotary, turbine, etc.

In the seventh and eighth lines of the second paragraph, page 2, of the letter of May 11, 1948, from Mr. Watson in connection with proof previously submitted under Application 14066, it is stated that in substituting a claim for municipal use in lieu of that for domestic use, we would not be confined to the uses which are now made of the water in said area, but might from time to time increase the use of water for other areas of the park.

The proof submitted at that time indicated an average use of about 1800 gallons per day in August 1947. Although the park attendance and water use has increased considerably during the past two summers, we have not attempted to keep the records up-to-date in this Office and will have to write to the park for the information.

However, before resubmitting the signed proof, we should like to have a better explanation of what we are intended to show. From your letter of May 19 and that from Mr. Watson of May 11, 1948, it is our interpretation now that we should show the maximum rate at which we have pumped water into the distribution reservoir and the maximum rate at which that water has been distributed and used during the peak of the 1948 or 1949 season, whichever was larger.

It is our understanding that the rate of consumption will be only informatory and will not limit the quantity of water involved in the license. If any such limitation would now result, it might be better to defer the proof for the maximum period allowable under the State Water Code because of the rapidly increasing annual water use.

Sincerely yours,

(SGD.) A. VAN V. DUNN.
A. van V. Dunn
Chief, Water Resources Branch

Copy to: Regional Director, Region Three (2)

AvanVDunn:sh

C O P Y

THE STATE OF UTAH
OFFICE OF STATE ENGINEER
SALT LAKE CITY

Harold A. Linke
State Engineer

May 19, 1950

United States Department of the Interior
National Park Service
Washington 25, D. C.

Attention: Mr. A. E. Demaray, Associate Director

Gentlemen: RE: APPLICATION NO. 20278

Returned to you herewith is one written proof, and under separate cover two sheets of 24" x 30" tracing pertaining to the above captioned application for completion as follows:

WRITTEN PROOF

The paragraph numbers appearing herein refer to the same paragraph numbers as those found in the written proof form.

Paragraph 3. It is noted that you give 0.1 sec.-ft. as the quantity of water appropriated under this paragraph, whereas in Paragraph 3 under General Remarks you show that on June 11, 1948, the flow of water filled the sump or cistern in 60 minutes, producing a yield of 0.0854 sec.- ft., and on May 20, 1949, the overflow from the sump or cistern yielded 0.1335 sec.-ft. This gives the yield of the spring area as collected in the sump or cistern, but it does not give the amount of water yielded to the 5,000 gallon distribution reservoir or tank at the Rainbow Point where distribution begins. Before a certificat of appropriation can be issued, therefore, it will be necessary that the flow of water delivered to the distribution reservoir be measured. This will give the amount of water actually yielded and put to beneficial use through the 2 in. diameter iron pipe line, which has a length of 7,450 ft.

General Remarks. Under Paragraph 2 of General Remarks, you state that the water is pumped by means of a 16 H.P. gasoline engine, but you failed to state what type of pump is used. Will you kindly state whether the pump is centrifugal, rotary, turbine, etc.

CERRIFICATES

After completing the proof as above outlined, the certificates of the appropriator and proof engineer in both the written proof form and on

the tracing are to be executed by the proper parties, and the executions in each instance acknowledged before a notary public.

You are allowed to and including July 5, 1950, within which to complete the proof as above outlined and return the same to this office. It will expedite issuance of a certificate, however, if it is completed and returned at an earlier date.

Yours truly,

/s/ H. C. Linke

Harold A. Linke
STATE ENGINEER

HWS:urq
Encl. 1 Written Proof

03-06-1950: letter: extension of time under water right application no. 14066; march 06, 1950

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
WASHINGTON 25, D. C.

In reply refer to:
L54 ZION

March 6, 1950

Memorandum

To: Regional Director, Region Three

From: Chief, Water Resources Branch

Subject: Extension of Time under Water Right Application No. 14066, Bryce Canyon National Park

Enclosed are two photostat copies of a letter of February 21 from the State Engineer of Utah, granting an extension of time in which to perfect water rights under Application No. 14066. These should be filed in the assemblies of Bryce Canyon National Park Deed 3 in your office and at the Park, at the top of the assembly relating to the rights under Application 14066.

As you know, proof under Application 20278 has been filed covering the use of the same water for municipal purposes rather than domestic. It is hoped that this proof will be accepted before the end of the coming year and that we may drop the claim under Application No. 14066 when it again comes up for renewal next year.

(SGD.) A. VAN V. DUNN.

A. van V. Dunn
Chief, Water Resources Branch

Attachments 2

In duplicate

AvanVDunn:sh

FORM L19 3M

THE STATE OF UTAH

OFFICE OF STATE ENGINEER

SALT LAKE CITY

February 21, 1950

Mr. A. van V. Dunn
Chief, Water Resources Branch
National Park Service
Washington 25, D.C.

Dear Sir:

RE: EXT. GRANTED APPLICATION NO. 14066

This will acknowledge receipt of your request of Feb. 11, 1950 for Extension of Time in which to submit Proof of Appropriation or Proof of Change contemplated by Application No. 14066

The matter has been considered and the time for submitting proof has been extended from March 1, 1950 to March 1, 1951 inclusive.

Yours very truly,

H. A. Linke

Harold A. Linke
STATE ENGINEER
403 STATE CAPITOL
SALT LAKE CITY 1, UTAH

ADDRESS ALL COMMUNICATIONS TO:
eca

Extension Granted

P.S. Although this extension has been granted to you in accordance with the provisions of the law, I earnestly recommend that you proceed to prepare and submit your final proof at the earliest possible date. One cannot foresee what contingencies might arise in the future; the present possession of your certificate might stand you in good stead.

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
WASHINGTON 25, D. C.

In reply refer to:
L54 ZION

February 7, 1950

Mr. Harold A. Linke
State Engineer
Salt Lake City, Utah

My dear Mr. Linke:

Enclosed is a Request for Extension of Time in which to perfect water rights under Application 14066 covering diversion in the Yovimpa Spring area, Bryce Canyon National Park. This application was for the appropriation of water for domestic purposes.

You have on file related Application 20278 for the appropriation of the same water for municipal purposes, and you also have our Proof of Appropriation. It is our intention to abandon the more restrictive claims under Application 14066 as soon as the final certificate is issued under Application 20278. In fact, we would have abandoned the earlier application as soon as Application No. 20278 was approved in your office except for advice from your predecessor, Mr. Watson, who recommended keeping both applications active until rights under one were perfected.

Accordingly, although we have requested an extension of time of one year under Application 14066, it will be desirable to have the time limit either decreased or extended on the basis of your estimate of the further time necessary in which to complete the activities leading to granting a final certificate under Application 20278.

Sincerely yours,

(SGD.) A. VAN V. DUNN.
A. van V. Dunn
Chief, Water Resources Branch

Enclosure

Copy to: Regional Director, Region Three (2)

AvanVDunn:sh

WP Copy

UNITED STATES

DEPARTMENT OF THE INTERIOR

NATIONAL PARK SERVICE

Zion and Bryce Canyon National Parks
Springdale, Utah

January 9, 1950

Memorandum

To: Regional Director, Region Three

From: Superintendent, Zion and Bryce Canyon

Subject: Proof of Appropriation of Waters at Yovimpa Springs in Bryce Canyon National Park

Reference is made to Associate Director Demaray's memorandum, L54 Zion, November 30, 1949.

We have no engineer in our area who is registered as such in Utah.

We believe you will find that federal engineers working in Utah on behalf of the United States have had their work accepted in several court cases without being registered under the Utah state laws.

(SGD) CHAS. J. SMITH

Chas. J. Smith
Superintendent

In triplicate

C O P Y

THE STATE OF UTAH
Office of State Engineer
SALT LAKE CITY

Mr. A. van V. Dunn
Chief, Water Resources Branch
National Park Service
Washington 25, D. C.

December 30, 1949

Dear Sir:

RE: APPLICATION NO. 14066

Proof as contemplated by Application No. 14066 will be due March 1, 1950, Such proof, together with maps, profiles and drawings and the statutory filing fees, must be received in this office on or before that date. "Failure to make proof of appropriation or proof of change of water on or before the date set therefor, shall cause the Application to lapse." (Section 100-3-17 Utah Code Annotated 1943.)

Blank forms upon which proof must be submitted and a copy of the Rules and Regulations will be sent upon request. Upon receipt of the proof it will receive an office examination after which a field inspection will follow.

An extension of time for filing proof will be granted only upon the filing of a written request for extension made in affidavit form, showing diligence or a reasonable cause for delay and containing the following information:

1. Amount of work done and approximate cost.
2. Amount of work remaining to be done and its estimated cost.
3. Reason for extension and time desired.

Yours very truly,

/s/ H. A. Linke

Harold A. Linke

ADDRESS ALL COMMUNICATIONS TO:

STATE ENGINEER
403 STATE CAPITOL
SALT LAKE CITY 1, UTAH

le
encl: F L-25

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
WASHINGTON 25, D. C.

In reply refer to:
L54 ZION

December 12, 1949

Memorandum

To: Regional Director, Region Three

From: Chief, Water Resources Branch

Subject: Water Right Application No. 14066, Bryce Canyon National Park

Enclosed are two copies of a letter of December 8 from the State Engineer of Utah, advising that we have not submitted proof under Water Right Application 14066 within the specified time, and granting an extension of that time to March 1, 1950.

This is apparently only a technical point, because the National Park Service has no intention of completing the proof. On the other hand, the proof under superseding Application No. 20278 is now in the hands of the State Engineer. When this proof is accepted, we shall withdraw Application 14066.

Please insert the attached copies of the State Engineer's letter in the assemblies of Bryce Canyon Deed 3 in your office and at the Park.

(SGD.) A. VAN V. DUNN.

A. van V. Dunn
Chief, Water Resources Branch

Attachments 2

In duplicate

AvanVDunn:sh

C O P Y

H. A. Linke
State Engineer

THE STATE OF UTAH
OFFICE OF STATE ENGINEER
SALT LAKE CITY

December 8, 1949

Mr. A. van V. Dunn
Chief, Water Resources Branch
National Park Service
Washington, 25, D. C.

Dear Sir: RE: APPLICATION NO. 14066

This is to remind you that you have not completed and returned to this office proof of appropriation on the above captioned application within the time allowed in State Engineer's letter of January 19, 1949.

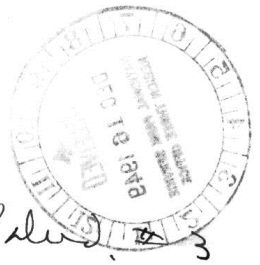
Additional time to and including March 1, 1950, is hereby granted within which to complete and return this proof.

Yours very truly,

/s/ H. A. Linke

Harold A. Linke
STATE ENGINEER

EEV:urq



11-30-1949: memorandum: proof of appropriation of waters at yovimpa springs; november 30, 1949

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
WASHINGTON 25, D. C.

In reply refer to:
L54 ZION

NOV 30 1949

Memorandum

To: Regional Director, Region Three

From: Associate Director

Subject: Proof of Appropriation of Waters of Yovimpa Spring Area, Bryce Canyon National Park, under Application No. 20278

Enclosed, in duplicate, are copies of a letter of November 16 from Mr. Harold A. Linke, State Engineer of Utah, and of our reply in connection with the above matter.

Presumably Mr. Dunn will be accepted as a qualified engineer. In fact, we are inclined to take further action, if necessary, to establish the exemption of federal engineers working in Utah on behalf of the United States without Utah registration. However, for our possible need, will you please advise us of any engineers on your payroll who are registered in Utah.

(SGD.) A. E. DEMARAY

Associate Director

Attachments 4

In duplicate

Copy to: Mr. Dunn

AvanVDunn:sh

11-30-1949: letter: unsigned written proof of appropriation of waters of the yovimpa springs area; november 30, 1949

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
WASHINGTON 25, D. C.

In reply refer to:
L54 ZION

NOV 30 1949

Mr. Harold A. Linke
State Engineer
Salt Lake City, Utah

Subject: Water Right Application 20278

My dear Mr. Linke:

We enclose the unsigned written proof of appropriation of waters of the Yovimpa Spring Area, Bryce Canyon National Park, under Application No. 20278. In accordance with your letter of November 16, we are sending you the tracings of the proof map, our drawing No. NP-BC-6953, in 2 sheets, and a copy of this letter, under separate cover. We substituted prints of the proof map when we previously submitted the proof only because of the potential damage each time the tracings go through the mail before they are finally accepted and executed.

In the last paragraph of your letter you advise that the proof must be verified by a reputable registered civil engineer. After reviewing the laws of Utah, 1949, particularly amended Section 100-3-16 of Chapter 97 relating to proof; and Section 79-7a-16 of Chapter 7a of the Utah Code Annotated 1943, which does not seem to have been changed, our Chief Counsel takes the view that Mr. A. van V. Dunn is doubtless qualified as follows:

1. Mr. Dunn, who has prepared the written proof, supervised the preparation of the proof map, and who is scheduled to sign the engineer's statement, is authorized to act in his engineering capacity under Chapter 7a, Section 79-7a-16(d) of the 1943 Code as an employee of the government of the United States.

2. Mr. Dunn is also authorized to practice engineering for periods not to exceed 60 days in any one year under Section 79-72-16(a) as a registered Civil Engineer in the State of California with no residence or established place of business in the State of Utah. Mr. Dunn has Certificate No. 455 as a registered Civil Engineer in California.

It is suggested that the requirement that the maps, profiles, and drawings be prepared by a reputable registered Civil Engineer is satisfied if the engineer be one registered under the provisions of Title 79, Chapter 7a, Utah Code Annotated, 1943, or one authorized to act under the exemptions in Section 16 of that Chapter.

If the written proof as well as the map must be signed by Mr. Dunn, we shall appreciate instructions as to whether he should use the space left under General Remarks or modify the Certificate of Disinterested Witness.

Sincerely yours,

(SGD.) A. E. DEMARAY
A. E. Demaray
Associate Director

Enclosure

Copy to: Regional Director, Region Three (2)
Mr. Dunn

AvanVDunn:MB:sh

C O P Y

H. A. Linke
State Engineer

THE STATE OF UTAH
OFFICE OF STATE ENGINEER
SALT LAKE CITY

November 16, 1949

United States of America
National Park Service
Washington 25, D. C.

Gentlemen: RE: APPLICATION NO. 20278

This acknowledges receipt in this office of one set of written proof and two sheets of photographic prints pertaining to proof of appropriation on the above captioned application. This proof is not acceptable for filing for the following reason:

The prints were submitted instead of the tracings. The proof of appropriation is comprised of the written proof and the tracings which accompany it. The written proof and prints are, therefore, returned to you herewith as being unsatisfactory for filing. When the proof is resubmitted, the printed form must be accompanied by the tracings. In submitting the proof kindly do not sign any of the certificates, either that of the appropriator or of the proof engineer.

The last session of the legislature changed the proof law so that disinterested witnesses are not now required on a proof; however, the proof must be verified by a reputable registered civil engineer.

Yours very truly,

/s/ H. A. Linke

Harold A. Linke
STATE ENGINEER

FWC:urq
Encl. 3
(1) Written Proof
(2) Photographic Prints

11-07-1949: letter: proof of appropriation on water for municipal purposes; november 07, 1949

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
WASHINGTON 25, D. C.

In reply refer:
L54 ZION

NOV - 7 1949

Mr. Harold A. Linke
State Engineer
Salt Lake City, Utah

My dear Mr. Linke:

Enclosed is our Proof of Appropriation on Water for Municipal Purposes, under Application No. 20278, for diversion from the spring area at Yovimpa Springs in Bryce Canyon National Park. In accordance with instructions at the top of page 3, we have omitted final signature, pending your review and possible suggestions.

In addition, we have included only a print of the proof map, drawing No. NP-BC-6953 in 2 sheets, which has not been signed by the Associate Director or by the Chief of our Water Resources Branch. We have deferred final execution of the map on the assumption that your suggestions in connection with the written proof might make it desirable to make changes in the map as well. The executed tracing will be submitted as soon as we are certain that no further additions are necessary.

Sincerely yours,

SIGNED

Paul R. Franke
Acting Assistant Director

Enclosures 3

Copy to: Regional Director, Region Three (2)
Mr. Dunn

AvanVDunn:sh

WR Copy (2)

In reply refer to:
L54 ZION

UNITED STATES
DEPARTMENT OF THE INTERIOR

NATIONAL PARK SERVICE
Region Three
Santa Fe, New Mexico

September 13, 1949

Memorandum

To: Director

From: Regional Engineer

Subject: Proof of water use at Bryce Canyon National Park under Application 20278

There is enclosed copy of Acting Superintendent Thomas' memorandum of September 6, in duplicate, in which he sets forth the measurement of the flow of Yovimpa Spring, which was made on May 20, 1949. This measurement shows a flow of 60 gallons per minute, which we consider as probably the maximum possible flow at this spring. It is doubtful if this rate of flow lasted more than two or three weeks at the most as it was occasioned by the rapid melting of the heavy accumulation of last winter's snow.

It is hoped that with this information you can proceed with the final proof of the application for use of water at Yovimpa Spring.

(SIGNED)

J. R. Lassiter
Regional Engineer

In duplicate

Attachments-2

Copy to: Superintendent, Zion

00-00-0000: memorandum: proof of water use at bryce canyon national park

UNITED STATES

DEPARTMENT OF THE INTERIOR

NATIONAL PARK SERVICE

Zion and Bryce Canyon National Parks
Springdale, Utah

September 6, 1949

Memorandum

To: Regional Director, Region Three

From: Acting Supt., Zion and Bryce Canyon National Parks

Subject: Proof of Water Use at Bryce Canyon National Park

Reference is made to copy of L54 Zion, August 16 sent to us with Mr. Lassiter's note.

The deep snow of last winter prevented us from making a measurement of the Yovimpa Spring until May 20. On that date the overflow pipe from the storage tank was running a full stream and would fill a 5 gal. milk can as nearly as we could time it, in 5 seconds. This would be a flow of about 60 gallons a minute. However, water was seeping out of many places all around the collection area and water was literally running from the ground over an area described by an arc from the reservoir of about 150°, for 50 to 60 feet. We realize this was not a good measurement but gives us a fair estimate of a maximum flow which would exceed 60 gallons per minute, with a winter such as last year's.

CHESTER A. THOMAS

Chester A. Thomas
Acting Superintendent

In triplicate

4 mile Spring

BRYCE CANYON

NE Cor. Sec. — { N. 1184.63 / E. 6524.96

9/14/17

CENTER OF TANK { N. 10,246.23 / E. 6,269.74

	N	E
Coordinates / outlet / Dirt tank	10,252.20	6,269.74
S 1-37E 9071.11 — tan 0.0281466 15E — 5 9,067.57 E 255.22		
NE Cor Sec 11	1,184.68	6,524.96

11.0 × 11.0 × 2.54166666.... = 307.54167 cu ft.

1 cu ft = 7.4805255 gal.

307.54167 × 7.48 = 2300.41 gal/hr.

55,210 gal/day

0.08854 s.f.

11 × 11 × 2.66667 = 322.66667 cu ft

322.66667 × 7.48 = 2413.55 gal/hr.

57,925 gal/day

0.0896 s.f.

40 gpm = 57,600 gpd

= 0.0811

Aug. 31, 1948 OK

Aug. 11, 1955 - 1948
106,646 1948

4827 gal

9/27
$135.00
$309.84
$825.12

$315.00
5.16
$309.84

THE STATE OF UTAH
OFFICE OF STATE ENGINEER
SALT LAKE CITY

H. A. LINKE
STATE ENGINEER

August 17, 1949

Mr. A. van V. Dunn
Chief, Water Resources Branch
U. S. Department of the Interior
National Park Service
Washington 25, D. C.

Dear Sir: RE: APPLICATION NO. 20278

You mention in your letter of August 12, your file L54 Zion, the possibility of not being required to file Proof of Appropriation on an application which seeks to appropriate .015 sec. ft. or less for municipal purposes.

Section 100-3-16, Utah Code Annotated, 1943, as amended, provides as follows:

"The State Engineer shall require no Proof of Appropriation or Proof of permanent change whenever the application for appropriation of underground water or permanent change thereof is for domestic or for livestock purposes and a flow of .015 sec. ft. or less".

This amendment to the statutes does not exempt water used for municipal purposes and does not include water naturally yielded on the surface. You should use the form for municipal purposes when filing proof on Application No. 20278. For this reason two such forms are furnished under separate cover.

Yours very truly,

H. A. Linke

Harold A. Linke
STATE ENGINEER

FWC/vm

ADDRESS:
THE DIRECTOR, NATIONAL PARK SERVICE

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
WASHINGTON 25, D. C.

In reply refer to: L54 ZION

August 16, 1949

Memorandum

To: Regional Director, Region Three

From: Chief, Water Resources Branch

Subject: Proof of water use at Bryce Canyon National Park under Application 20278

By memorandum of June 24, 1948, Superintendent Smith supplied you with two measurements of the flow into the collecting sump at the Yovimpa Springs area of Bryce Canyon National Park made under the supervision of Chief Ranger Pagergren. Using the collecting sump itself as the measuring device, a flow of 38.324 gallons per minute was obtained. Using a milk can, a slightly more approximate value of 40 gallons per minute was obtained.

It was stated in the memorandum that these flows were greater than any that had been previously observed and that further measurements would be made thereafter. Please advise if any greater flows have been measured during the past year and, if so, give the details of measurement and name of the man making such measurements.

If no greater measurements have been made, we propose to make final proof on the basis of measurements of June 11, 1948, and to file such proof within the next few weeks as soon as a reply to this memorandum is received, in order to profit by the experience in connection with other water right proofs and applications to be filed in connection with the use of water at Zion National Park and Timpanogos Cave National Monument.

(SGD.) A. VAN V. DUNN.

A. van V. Dunn
Chief, Water Resources Branch

In duplicate

AvanVDunn:sh

08-12-1949: letter: amendment of water rights under certificates 2038 and 3025; august 12, 1949

ADDRESS:
THE DIRECTOR, NATIONAL PARK SERVICE

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
WASHINGTON 25, D. C.

In reply refer to:
L54 ZION

Bryce Yovimpa Spring

August 12, 1949

Mr. Harold A. Linke
State Engineer
Salt Lake City, Utah

My dear Mr. Linke:

We have received your letter of August 3 relating to amendment of water rights under Certificates 2038 and 3025 at Timpanogos Cave National Monument, and your four letters of August 2 advising that proof or extension of time is due under Applications a-1657, a-1658, a-1659, and a-1660, in connection with water diversions at Zion National Park. Also, with your letter of May 12 we received approved Application No. 20278, covering the appropriation of the waters of Yovimpa Spring for municipal purposes at Bryce Canyon National Park.

Deferring a complete answer to your letter of August 3, we should merely like to request six more copies of the form F-8-11-45 6M, Application for Permanent Change of Point of Diversion, Place and Nature of Use of Water, forwarded by you on August 3. When the National Park Service perfects a water right, it maintains copies of the applications, proofs, etc., at the area where the water is used, at the Regional Office, and in two files in the Washington Office. It will be easiest if we can make up at least four copies of each instrument for the various files, one of them being the original which is sent to you and subsequently returned for one of the files in the Washington Office.

In connection with Water Right Applications a-1657 to a-1660, we have been deferring proof until the proof on Application No. 20278 for Yovimpa Spring was completed. We have had to defer that proof until the application was advertised and the permit was granted. Since receiving the approved application, we have proceeded with the preparation of proof, but have not yet quite finished. Therefore, we shall request extensions of time under Water Right Applications a-1657 through a-1660 before October 10, 1949, as required by law.

In reviewing the booklet entitled "Rules and Regulations Promulgated by the State Engineer," which was submitted under separate cover in connection with your letter of August 3, we note

that many of the old instructions have been deleted and among other things no final proof is now required in connection with the appropriation of less than .015 second-foot of water for domestic or stock watering purposes. In discussion with Mr. Watson, it was determined that proof for municipal purposes would show that the water system had been constructed with a certain capacity, that the flow of the source of supply had been measured and found to be of a certain magnitude, and that the municipal right would be based on the lesser of these two quantities. Accordingly, the claim was made for .1 of a second-foot under Application 20278, whereas the claim had been made for only .01 of a second foot under Application 14066, the idea being that somewhat more than .01 of a second-foot of water would be measured as available for use through the water system, even though it might or might not be fully used in a beneficial manner at the time we submit final proof.

Many of our applications were initiated during the time when Mr. Humphreys, and later Mr. Watson, were State Engineers, and we have had to modify our procedure with each change of administration. Mr. Humphreys, for instance, would not accept municipal status for the appropriation of water in Bryce Canyon National Park, and we, therefore, became involved in a complicated claim for domestic and industrial purposes. As a result of the recommendations of Mr. Watson, we filed Application 20278 for the appropriation of the water for municipal purposes and planned to abandon Application 14066 for the appropriation of the same water for domestic purposes in order to expedite and simplify proof and to permit the use of the water as needed throughout the adjacent areas of the Park for the normal purposes usually made in a municipality or a village community.

We are now ready to make proof under Application 20278, and two questions arise. First, is the proof no longer necessary even for municipal purposes if the source of supply cannot be shown to have a flow of more than .015 of a second-foot? Second, what form should now be used in making such proof? We should like to receive four copies of the form for this purpose.

Sincerely yours,

(SGD.) A. VAN V. DUNN.

A. van V. Dunn
Chief, Water Resources Branch

Copy to Regional Director, Region Three (2)

AvanVDunn:sh

NOTICE TO WATER USERS

The United States National Park Service, Springdale, Ut., has filed Application No. 14066 to appropriate 0.01 sec. ft. of water from a spring area at Yovimpa springs, tributary to Lower Podunk creek in Kane county. The boundaries of the spring area are as follows: Beg. at a point N. 47 deg. 6 min. W. 7678 ft. from the NE Cor. Sec. 4, T 39 S., R 4 W., SLB&M and running thence S. 80 deg. 47 min. E. 175 ft., S. 9 deg. 13 min. W. 300 ft., N. 80 deg. 47 min. W. 225 ft., N. 9 deg. 13 min. E 300 ft. and S. 80 deg. 47 min. E. 50 ft. to beg. The water will be collected at the aforesaid point of beg., pumped through a pipe line to a 10,000 gal. redwood tank situated in unsurveyed NE 1/4 NE 1/4 Sec. 28, T 38 S., R. 4 W., SLB&M, and thence distributed by gravity and used for domestic and camping purposes at the Rainbow Point camp ground and picnic areas.

Protests resisting the granting of said Application, with reasons therefor, made in affidavit form, must be filed with T. H. Humpherys, State Engineer, 403 State Capitol, Salt Lake City, Utah, with one extra copy and $1.00 filing fee on or before May 4, 1941.

T. H. HUMPHERYS,
State Engineer.

First publication March 6, 1941
Last publication April 3, 1941

COPY

THE STATE OF UTAH
OFFICE OF STATE ENGINEER
SALT LAKE CITY

May 11, 1948

Mr. A. van V. Dunn, Chief,
Water Resources Branch, U. S. A.,
Department of the Interior
National Park Service
Washington, 25, D. C.

Dear Sir: Re: APPLICATION NO. 14066

Commenting further upon the above-captioned application, please be advised that during Mr. Humpherys' administration as State Engineer, the interpretation of the purpose of this application must have been that it was for domestic purposes with incidentals thereto. This is for the reason that "Notice to Water Users", a copy of which is furnished herewith, provides that the use of water is for domestic purposes with incidental camping at Rainbow Campground and picnic areas. My suggestion to file an application for municipal purposes was only to protect your rights on a firmer basis for general use within the park. This is for the reason that municipal purposes cover all uses of water that may be made in a municipality, including domestic and the camping purposes mentioned. If, however, this office should allow you to file your proof and receive a certificate on the showing of the record, including the "Notice to Water Users" referred to, for municipal purposes, you can understand that there might later be questions brought up relative to the intention of the application, especially due to the fact that the public has been notified of the intent to use the water more restrictively than would be the case had the application been clearly for the more inclusive municipal purposes embracing all uses in a municipality.

You will note in the following criticism of the proof, a change application must be filed, which will entail the same cost of advertising as would an application to appropriate for municipal purposes--there being no fees, under our present law, to the Federal Government. The only advantage that you might retain in filing the change application is a priority that might attach, if there are intervening rights on the same source filed in this office since your Application No. 14066 was filed. A cursory search of the indices does not disclose that there are intervening rights; however, if the water from the spring area actually enters Podunk Creek and thus becomes a part of the waters of said creek and applications have been filed on the water of said creek since your application was filed, there might be some reason for maintaining your priority, even in view of the restrictive character of the application as now filed. If on the other hand, the priority means nothing by

reason of no intervening rights, then it is suggested that the application be filed for municipal purposes within the confines of the entire Bryce Canyon National Park, there being no additional cost in filing such application over and above that necessary to file a change application.

The proof as submitted is criticized in this letter on the basis of the application as it has now been filed to serve only a portion of the so-called Bryce Canyon National Park municipality for domestic purposes with incidental uses at Rainbow Point on the plateau in the W½ Sec. 27 and E½ of Sec. 28. Should you file an application for water for municipal purposes within the entire park, then you would not be confined to the small area mentioned; neither would you be confined to the uses which are now made of the water at said area, but might from time to time increase the use of water for other areas within said park. In this event, you should revamp the proof on the basis of such use and file the same pertaining to the new application after having withdrawn it as a proof under Application No. 14066. You may at this time, proceed to receive a certificate for the appropriation of water under Application No. 14066, with its limitations, when you will have completed your appropriation by completing the proof in a satisfactory manner. This certificate may call for the same rate of flow of water in second-feet, if the total flow of the springs has at any time been used, but the quantity of water will be confined as the application is now drawn, to the uses heretofore made at Rainbow Point; whereas, if an application were filed for municipal purposes throughout the entire park, the certificate calling for the number of second-feet under the municipal application would permit the fullest use by quantity of water within said park that it would be possible to make, regardless of the limitations of past and present use. This is by reason of Rule No. 30 of "Proofs", page 10, which provides as follows:

> "30. Where proof is made under an application to appropriate water for municipal purposes, a certificate will be issued for the quantity of water actually impounded, if storage is involved, or for such quantity of water in direct flow as applicant shall have completed all necessary works to convey to the actual place of use within the corporate limits of the town or city, provided the proof shows conclusively that the water is available."

The written proof of appropriation, Application No. 14066, is returned to you herewith and one sheet of tracing is returned, under separate cover, for completion as follows:

WRITTEN PROOF

The paragraph numbers given hereunder refer to the same paragraph numbers as those appearing in the written proof.

Paragraph 3: The quantity of water given in this paragraph as being 0.01 sec. ft. is in conformity with the approved application; however, there are no adequate water measurements submitted in the proof to show that this flow of water has been diverted and used. You should, therefore, under "General Remarks", give details of the water measurements to indicate the flow of water in second-feet which you insert in this paragraph as being appropriated. It is suggested, after studying the proof, if you have not already done so, that during the ordinary diversion of water required by the park service rendered at Rainbow Point, you measure the flow of water diverted from Yovimpa spring area by means of the pump. This cannot very well be accomplished by just measuring the flow at the end of the pump line at the storage tank near Rainbow Point. However, it might be accomplished by making such measurement of the flow being pumped and simultaneously observing the stage of water in the sump at the spring area. Thus if it causes a drawdown in the sump, knowing the capacity as well as the area of the sump and knowing the drawdown, one might determine that portion of water being pumped, represented by the actual yield of the spring area, which determination must be made of the flow diverted in order to constitute a proper measurement for proof. Details of this water measurement, both relative to capturing the water in a vessel, the time elapsed in capturing it, the size of the measuring vessel and the drawdown in the sump must be submitted to this office in order that one might determine therefrom, the yield of the spring area and that portion of said yield being diverted for use.

Paragraph 7: Due to the fact that this appropriation seeks to appropriate water from a spring area, this designation of the source should be given in this paragraph and no reference made to the springs. Under the application, you are entitled to all that the spring area will yield, limited, of course, to that portion put to beneficial use and also to the flow given in the approved application. The point of diversion given in this paragraph should be the point at which the water is collected within the spring area. It appears that the water from Springs A and B, together with the yielding pipe lines which serve as drains, is collected in a sump having a capacity of 5,000 gallons. The point of diversion, being the point of collection in the spring area, should have referred to this sump. The approved application describes this point as being N47°06'W 7678 ft. from NE Cor. Sec. 4, T39S, R4W, SLB&M.

In examining the proof map, this tie refers to the beginning of the traverse in closing the spring area, but the water is not collected there. The map shows the tie to the corner mentioned referred to the pumphouse or beginning of the conveying pipe line as S49°01'34"E 7231.62 ft. Under "Explanatory", the approved application makes a statement in substance and to the effect that the beginning of the traverse embracing the spring area is in fact the point of diversion given under

paragraph 7, which assumes that the water is also collected there. This enclosing traverse as given in the application is greater in area than that given in the proof, as indicated in pencil on the map; however, the tie to the beginning point of the traverse in the proof and that in the approved application are at variance. The tie given in the proof, being N48°55'33"W 7328.70 ft. from the corner between Secs. 3 and 4, T39S, R4W, which is in fact the northeast corner of Sec. 4, places the spring area in its various respective parts, over 300 feet different in the proof from that given in the approved application. This requires a change application to be filed in this office correcting the location of the point of diversion and the spring area, which change application must be advertised and approved before certificate of appropriation can be issued. It is suggested that when this change application is filed, the point of diversion be described therein as being the point where the water is commingled at the sump and that the proper location of the beginning point of the traverse enclosing the spring area be made to agreee with the proof map; also, that the spring area be described in the application as in the proof.

Kindly hereafter in giving ties, conform to Rule 8, page 2 of "Rules and Regulations Promulgated by the State Engineer, June 1, 1947" pertaining to applications, a copy of which pamphlet is furnished you under separate cover.

Paragraph 16: Instead of interlining in the printed form, kindly give the maximum and minimum grades of the diverting channel.

Paragraph 21: It is noted that you have prepared this paragraph to indicate that you have actually measured the water by reservoir capacity and the pump. If so, and there are sufficient details, you should give the proceedings and results as hereinbefore outlined under "General Remarks".

General Remarks: 1. Much of the information given under this paragraph is pertinent and timely; however, you should delete from the fifth paragraph, reference to letters filed in this office. This is for the reason that the proof is in fact a sworn statement under oath and should not make reference to correspondence.

2. Paragraph 6 makes an inference that the flow of 0.01 sec. ft. has not been used. If at any time this rate of flow has been used, you have justification for a certificate of appropriation for that quantity used intermittently during the period sought. For this reason, paragraph 6 referred to above, should be stricken.

TRACING

1. As a convenience in filing, the application number and sheet numbers should be given in the lower right-hand corner on the tracing as provided in Rule 47, page 12 of the pamphlet.

2. References on the tracing to contemplations under the plans should be eliminated. This is for the reason that proofs of appropriation are limited to accomplishments.

3. The profile in this instance was not necessary and does not conform to the requirements under Rule 34, page 10; however, this might be quite difficult because of the choppy and irregular gradient involved. In this instance, it will not be required that the rule be complied with.

4. The key map should be so designated by proper lettering in order to conform with the policy of this office and the relationship between the boundaries of the National Park and the U. S. Land Survey net should be shown by drawing said net on said map as it pertains to the National Park and the ties involved under the application. The road in the park shown by dotted line, should be in a color other than black in order to differentiate between it and the works involved under the application.

5. The corner is the NE Cor. Sec. 4, T39S, R4W, SLB&M, should be so designated, instead of referring to a "Corner Between Sec. 3 and 4. T39S, R4W". This is for the reason that the actual tie corner is the NE corner, whereas the corner referred to on the tracing might well be the E½ Cor. of Sec. 4 and W½ Cor. of Sec. 3.

6. The various diameters of pipe lines used should be indicated on the tracing so as to clearly show where each diameter respectively begins and ends.

7. There should be presented, a drawing of the 5,000-gallon capacity reservoir at Rainbow Point.

General. If in fact the full flow of water, being 0.01 sec. ft., has at any time been used, we see no reason why proof should not be submitted under this application as it has been filed. On this assumption, you should, therefore, after completing the proof as above outlined, complete the certificate of the appropriator and that of the two disinterested witnesses, one of who must be the engineer preparing the proof, found on the proof form and the certificates of the appropriator and the engineer on the proof map, should be completed and executed and the execution in each instance acknowledged before a notary public. It should be noted that the certificate of the engineer on the tracing should be completed by deleting that portion referring to irrigated areas.

Should you desire to withdraw the proof and refile it as a proof under a municipal application, this may be done by letter, after which the proof could very well be completed by making the necessary references to municipal use and later be filed as a proof under said municipal application, if one is filed.

Also furnished you, under separate cover, is one form on which to file "Application for Permanent Change of Point of Diversion Place and Nature of Use of Water" and one form on which to file "Application to Appropriate Water for Municipal Purposes", if you desire.

You are allowed to and including December 1, 1948 in which to complete the proof as above outlined and return the same to this office. It will expedite issuance of a certificate of appropriation, however, if completed and returned at an earlier date.

Your voucher, Form No. 1034, and Purchase Order No. NPS 195D. for $6.00 are returned to you herewith as being unnecessary, due to the fact that the Federal Government is now exempt under the Utah law from paying fees to the State Engineer.

Yours very truly,

(Sgd) Ed. H. Watson
ea

Ed. H. Watson
STATE ENGINEER

FWC/nty
Enc: Notice
Written Proof
Voucher
Purchase Order.

05-12-1949: application 20278 approved ; may 12, 1949

FORM L18S IM 4-45 TIMES

Dyonne
Utah
Cassiter

THE STATE OF UTAH

OFFICE OF STATE ENGINEER

H. A. LINKE
[redacted]
STATE ENGINEER

SALT LAKE CITY

May 12, 1949

APPLICATION APPROVED

~~Mrx~~ United States of America, National Parks Service
Interior Building
Washington 25, D. C.

Dear Sir:s: RE: APPROVED APPLICATION NO. 20278.

Enclosed find Application No. 20278 which has been approved by me. The approved Application is your authority to proceed with actual construction work which, under Sections 100-3-10 and 100-3-12, Utah Code Annotated, 1943, must be diligently prosecuted to completion. The water shall be put to beneficial use and proof of appropriation made to the State Engineer on or before Sept. 20, 1951, otherwise the application will lapse.

SURFACE

Failure on your part to comply with these requirements may result in forfeiture of your Application.

Yours very truly,

[redacted] WATSON
STATE ENGINEER

ADDRESS ALL COMMUNICATIONS TO:
403 STATE CAPITOL
SALT LAKE CITY, UTAH

le
encl: application

Form F-mu 5-11-45 2M

Application No. 20278

Application to Appropriate Water for Municipal Purposes

STATE OF UTAH

Do not fill out this blank until you have read carefully and thoroughly understand the Rules and Regulations on the back hereof, also in the pamphlet prepared by state engineer and all the notes in this form.

For the purpose of acquiring the right to use a portion of the unappropriated water of the State of Utah, for municipal purposes, Application is hereby made to the State Engineer, based upon the following showing of facts, submitted in accordance with the requirements of the Laws of Utah.

NOTE.—The information given in the following blanks should be free from explanatory matter, but when necessary a complete supplementary statement should be made on the following page under the heading "Explanatory."

1. *The name of the applicant is* United States of America
2. *The post-office address of the applicant is* National Park Service, Interior Building, Washington 25, D. C.
3. *The quantity of water to be appropriated is* 0.1 *second-feet or* ..... *acre-feet* (See note on following page)
4. *The water is to be used each year from* ~~April~~ January 1 (Month) (Day) *to* ~~November~~ Dec. 31 (Month) (Day) *incl.* See letter Jan. 14, 1949

   and stored each year (if stored) from ..... (Month) (Day) *to* ..... (Month) (Day) *incl.*
5. *The drainage area to which the direct source of supply belongs is* ..... (Leave blank)
6. *The direct source of supply is*† Spring Area at Yovimpa Springs (Name of stream or other source)

   which is tributary to Lower Podunk Creek, *tributary to* Paria River

†NOTE.—Where water is to be diverted from a well or a tunnel, the source should be designated as "Underground Water" in the first space and the remaining spaces should be left blank. If the source is a stream, a spring, a spring area, a tunnel, or a drain, so indicate in the first space, giving its name, if named, and in the remaining spaces, designate the stream channels to which it is tributary, **even though the water may sink, evaporate, or be diverted before reaching said channels.** If water from a spring flows in a natural surface channel before being diverted, the direct source should be designated as a stream and not a spring.

7. *The point of diversion from* ~~*stream, spring*~~, *spring area,* ~~*drain, well (flowing or pump), tunnel,*~~ (Strike words not needed)

   ~~*or*~~ ..... *is in* Kane *county, situated at a point** N.49°07'08"W. 7205.58 feet from NE corner Sec. 4, T. 39 S., R. 4 W., S.L.B.&M., in unsurveyed land.

*NOTE.—The point of diversion must be located definitely by course and distance or by rectangular distances, with reference to some United States land survey corner or United States mineral monument, if within a distance of six miles of either, or if at a greater distance, to some prominent and permanent natural object. (Also see note, page 4.)

No Application will be received in which the point of diversion is not described definitely. Any change made in this description after Application is received and before approved will bring down the priority of Application to the date when the amendment is made of record in the State Engineer's office. If the point of diversion is described improperly it may result in the necessity for readvertising, or for filing a change application to correct the improper tie before certificate of appropriation can be issued.

8. *The diverting and carrying works will consist of* tile collecting pipe, concrete collecting sump, pump unit, and galvanized iron diversion pipe.
9. *The cross section of the diverting channel will be* ~~⊏⊐~~ ~~\/~~ ~~⊐⊏~~ ○ (Strike ones not needed)
10. *The diverting works and diverting channel will be constructed of* ~~*earth, wood,*~~ *iron, concrete* (Strike words not needed)
11. *The length of the diverting channel, exclusive of laterals, will be* 7450 *feet*
12. *The top width of the diverting channel will be (if a ditch)* ..... *feet*
13. *The bottom width of the diverting channel will be (if a ditch)* ..... *feet*
14. *The depth of water in the diverting channel will be (if a ditch)* ..... *feet*
15. *The width of the diverting channel will be (if a flume)* ..... *feet*
16. *The depth of water in the diverting channel will be (if a flume)* ..... *feet*
17. *The diameter of the diverting channel will be (if a pipe)* 2 *inches*
18. *The grade of the diverting channel will be* ..... *feet per thousand*
    Maximum pump lift 825 feet.

19. *Name of Municipality* Bryce Canyon National Park.

20. *Description of boundary embracing municipal area* Beg. SW Cor. Sec. 36, T. 36 S., R. 4 W., S.L.B.&M., thence on the following traverse, northerly on W. line Secs. 36 & 25 to W¼ Cor. Sec. 25, easterly on center line to center Sec. 25, northerly on C. line to N¼ Cor. Sec. 25, and easterly on N. line to NE Cor. Sec. 25, T. 36 S., R. 4 W., northerly on W. line Sec. 19, T. 36 S., R. 3 W., to NW Cor. S½S½ Sec. 19, easterly on N. line S½S½ Sec. 19 to NE Cor. SE¼SE¼, northerly on W. line Sec. 20 to NW Cor. SW¼NW¼, easterly on N. line S½NW¼ to NE Cor. SE¼NE¼, northerly on C. line Secs. 20 & 17 to SE Cor. N½SE¼SW¼ Sec. 17, westerly on S. line N½SE¼SW¼ to SW Cor. N½SE¼SW¼, northerly on C. line SW¼ Sec. 17 to NW Cor. S½NE¼SW¼ Sec. 17, easterly on N. line S½NE¼SW¼ to N.-S. C. line Sec. 17, northerly on C. line to C. Sec. 17, westerly on C. line to SW Cor. SE¼NW¼, northerly on W. line SE¼NW¼, westerly on S. line NW¼NW¼ and northerly on N.-S. C. line NW¼NW¼, and easterly on N. line to N¼ Cor. Sec. 17, northerly on C. line Sec. 8 to N¼ Cor., easterly on N. line Secs. 8 & 9 to SW Cor. SE¼SE¼ Sec. 4, northerly on W. line to NW Cor. SE¼SE¼ Sec. 4, easterly on N. line S½S½ Secs. 4, 3, & 2 to NE Cor. SE¼SW¼ Sec. 2, southerly on C. line Secs. 2, 11, 14, & 23, to SE Cor. NE¼NW¼ Sec. 23, westerly on S. line N½N½ Secs. 23 & 22 to NE Cor. SW¼NE¼ Sec. 22, southerly on E. line W½E½ to SE Cor. SW¼SE¼, easterly on S. line to S¼ Cor. Sec. 22, southerly on C. line Secs. 27 & 34 to SE Cor. NE¼NW¼ Sec. 34, westerly on S. line N½NW¼ to NE Cor. SE¼NE¼ Sec. 33, southerly on E. line to SE Cor. and westerly on S. line to S¼ Cor. Sec. 33, T. 36 S., R. 3 W., southerly on C. line to center Sec. 4, T. 37 S., R. 3 W., westerly on C. line Secs. 4 & 5 to NE Cor. NW¼SE¼ Sec. 5, southerly on E. line W½SE¼ Sec. 5 to NW Cor. NE¼NE¼ Sec. 8, easterly on N. line, southerly on E. line, and westerly on S. line NE¼NE¼ Sec. 8, southerly on E. line W½E½ to NW Cor. SE¼SE¼ Sec. 8, easterly on N. line to NE Cor. SE¼SE¼ Sec. 8, southerly on E. line Secs. 8, 17, & 20 to SE Cor. Sec. 20, westerly on S. line Secs. 20 & 19, T. 37 S., R. 3 W., and Secs. 24, 23, & 22, T. 37 S., R. 4 W., to N¼ Cor. Sec. 27, southerly on C. line to S¼ Cor. & westerly on S. line to SW Cor. Sec. 27, southerly on E. line Sec. 33 to E¼ Cor., westerly on C. line Sec. 33 to E¼ Cor. Sec. 32, southerly on E. line Secs. 32, T. 37 S., R. 4 W., and Sec. 5, T. 38 S., R. 4 W., to SE Cor. Sec. 5, westerly on S. line to S¼ Cor. Sec. 5, southerly on C. line Secs. 8 & 17 to S¼ Sec. 17, easterly on N. line Secs. 20, 21 & 22 to NE Cor. NW¼NW¼ Sec. 22, southerly on E. line W½W½ Secs. 22, 27, & 34 to SE Cor. SW¼NW¼ Sec. 34, westerly on C. line Secs. 34 & 33 to center Sec. 33, southerly on C. line to S¼ Cor. Sec. 33, westerly on S. line Sec. 33, T. 38 S., R. 4 W., to N¼ Sec. 3, T. 39 S., R. 4 W., southerly on C. line to S¼ Cor. Sec. 3, westerly on S. line Secs. 3, 4, & 5, to S¼ Cor. Sec. 5, northerly on C. line to N¼ Cor. Sec. 5, easterly on N. line Sec. 5, T. 39 S., R. 4 W., to S¼ Cor. Sec. 31, T. 38 S., R. 4 W., northerly on C. line Secs. 31, 30, & 19, to S¼ Cor. Sec. 18, westerly on S. line Sec. 18 to SW Cor., northerly on W. line Secs. 18, 7, and 6, T. 38 S., R. 4 W., and Sec. 31, T. 37 S., R. 4 W., to W¼ Cor. Sec. 31, easterly on C. line Sec. 31 to E¼ Cor., northerly on W. line Sec. 32 to NW Cor., easterly on N. line Sec. 32 to NE Cor. NW¼NW¼, northerly on W. line E½SW¼ Sec. 29 to NW Cor. NE¼SW¼, easterly on C. line to center Sec. 29, northerly on C. line to N¼ Cor. and easterly on N. line to NE Cor. NW¼NE¼ Sec. 29, northerly on W. line E½SE¼ Sec. 20 to NE Cor. NW¼SE¼, easterly on C. line to E¼ Cor. Sec. 20, northerly on W. line Sec. 21 to NW Cor., easterly on N. line to NE Cor. NW¼NW¼ Sec. 21, northerly on W. line E½SW¼ Sec. 16 to NW Cor. NE¼SW¼, easterly on C. line to center Sec. 16, northerly on C. line to N¼ Cor. and easterly on N. line to NE Cor. Sec. 16, northerly on W. line Sec. 10 to W¼ Cor., easterly on C. line to center Sec. 10, northerly on C. line Secs. 10 & 3 to NW Cor. SW¼SE¼ Sec. 3, easterly on N. line S½SE¼ to NE Cor. SE¼SE¼ Sec. 3, northerly on W. line Sec. 2 to W¼ Cor., easterly on C. line to E¼ Cor. and northerly on E. line to NE Cor. Sec. 2, T. 37 S., R. 4 W., westerly on S. line Sec. 36, T. 36 S., R. 4 W., S.L.B.&M. to SW Cor., the point of beginning.

19. *Name of Municipality* Bryce Canyon National Park.

20. *Description of boundary embracing municipal area*
(By closed traverse tied to regularly established U. S. Land Survey Corners)

21. *Legal Subdivisions of U. S. Land Survey embraced within municipality*

Sec. 36, & S½ & NE¼ Sec. 25, T. 36 S., R. 4 W., S.L.B.&M.; S½SW¼ Sec. 2, S½S½ Sec. 3, SE¼SE¼ Sec. 4, E½ Sec. 8, Secs. 9 & 10, W½ Secs. 11 & 14, Secs. 15 & 16, E½, E½NW¼, E½NW¼NW¼, S½NE¼SW¼ & N½SE¼SW¼ Sec. 17, S½S½ Sec. 19, S½, S½NW¼, & NE¼ Sec. 20, Sec. 21, W½, W½E½, & NE¼NE¼ Sec. 22, N½NW¼ Sec. 23, W½ Sec. 27, Secs. 28, 29, 30, 31, 32, 33, & N½NW¼ Sec. 34, T. 36 S., R. 3 W., S.L.B.&M.; NW¼ Sec. 4, N½, SW¼ & W½SE¼ Sec. 5, Secs. 6, 7, W½, W½E½, NE¼NE¼, & SE¼SE¼ Sec. 8, Secs. 17, 18, 19, & 20, T. 37 S., R. 3 W., S.L.B.&M.; Sec. 1, S½ Sec. 2, S½ SE¼ Sec. 3, S½ & NE¼ Sec. 10, Secs. 11, 12, 13, 14, 15, E½, & E½SW¼ Sec. 16, E½SE¼ Sec. 20, Secs. 21, 22, 23, 24, W½ Sec. 27, Sec. 28, E½, & E½SW¼ Sec. 29, S½ Sec. 31, Sec. 32, & N½ Sec. 33, T. 37 S., R. 4 W., S.L.B.&M.; Secs. 5, 6, & 7, W½ Secs. 8 & 17, Sec. 18, E½ Sec. 19, Secs. 20, 21, W½W½ Secs. 22 & 27, Secs. 28 & 29, E½ Secs. 30 & 31, Sec. 32, W½ & NE¼ Sec. 33, & W½NW¼ Sec. 34, T. 38 S., R. 4 W., S.L.B.&M.; W½ Sec. 3, Sec. 4, & E½ Sec. 5, T. 39 S., R. 4 W., S.L.B.&M.

19. *Name of Municipality* Bryce Canyon National Park.

20. *Description of boundary embracing municipal area* (By closed traverse tied to regularly established points of survey or to U. S. Land Survey Corners)

21. *Legal Subdivisions of U. S. Land Survey embraced within municipality*

EXPLANATORY

The following additional facts are set forth in order to define more clearly the full purpose of the proposed appropriation:

Description of Spring Area at Yovimpa Springs:

Beg. N.49°54'40"W. 7313.52 ft. from NE Cor. Sec. 4, T. 39 S., R. 4 W., S.L.B.&M., in unsurveyed land, thence on following traverse, N.26°00'E. 150.0 ft., S.64°00'E. 150.0 ft., S.26°00'W. 300.0 ft., N.64°00'W. 150.0 ft., N.26°00'E. 150.0 ft., to beg., which is crossed by fault in a water bearing stratum from which the Yovimpa Springs emerge.

The water is collected in 4" tile pipe, in gravel filled trenches below the fault, and conveyed by gravity to the concrete collecting sump at point of diversion. The water is pumped from the collecting sump to an elevated distribution tank at Rainbow Point to provide water for public campground and picnic areas, comfort stations, employees' residences, fire protection, and other municipal purposes in Bryce Canyon National Park.

The number of annual visitors at Bryce Canyon National Park, nearly all of whom use the facilities at Rainbow Point, was approximately 159,000 in 1947, and the use has been increasing at between 15% and 20% per year since early in the thirties except for temporary suspension of travel during the war. The water development under this application is to provide part of the supply for the growing summer population of Bryce Canyon National Park.

Nothing herein shall be deemed to constitute a waiver or relinquishment by the United States of any rights, title, or interest it may have in and to the water of this spring or in any water in the State of Utah.

United States of America,
Department of the Interior
By (Sgd) Conrad L. Wirth.
*Signature of Applicant**
Acting Assistant Director, National Park Service.

*If applicant is a corporation or other organization, signature must be in the name of such corporation or organization by its proper officer. If a corporation, the affidavit below need not be filled in. If there are more than one applicant, a power of attorney, authorizing one to act for all should accompany the Application.

STATE OF UTAH,
County of ..... } ss.

On the ..... day of ....., 19....., personally appeared before me, a notary public for the State of Utah, the above applicant who, on oath, declared that he is a citizen of the United States.

My commission expires .....
(SEAL) *Notary Public.*

00-00-0000: state engineer's endorsements; 1949

(This page is not to be filled in by applicant)

State Engineer's Endorsements

10:00 A.M.

1. Oct.19,1948 *Application received* ~~over counter~~ / *by mail* *in State Engineer's office by* L.J.
2. *Priority of Application brought down to, on account of*
3. No fee necessary *Fee for filing Application, $, received by Rec. No.* GP
4. Oct.30,1948 *Application copied in book* Mun.1 *, page* 248 *, and indexed by* L.C.M. BMP
5. Oct.20,1948 *Application platted by* A.C.T.
6. Jan.19,1949 *Application examined by* C.N.H.
7. *Application returned, with letter, to for correction*
8. *Corrected Application resubmitted over counter / by mail to State Engineer's office.*
9. *Fee for publishing notice requested.*
10. Apr.29,1949 *Fee for publishing notice, $* 12.00 *, received by* TM. nn *Rec. No.* 20936
11. Jan.19,1949 *Application approved for advertisement by* C.N.H.
12. Feb.11,1949 *Notice to water users prepared by* C.N.H.
13. Feb 18,1949 *Publication began; was completed* Mar. 18, 1949
    Notice published in Kane County Standard, Kanab, Ut.
14. Mar. 2, 1949 *Proof slips checked by* C.N.H. & JG
15. *Application protested by*
16. May 9, 1949 *Application designated for approval / ~~rejection~~ by* C.N.H.
17. *Fee for approving Application requested*
18. No fee necessary *Fee for approving Application, $2.50, received by Rec. No.*
19. May 12, 1949 *Application proofread by* L.E. ECA
20. May 12, 1949 *Application* ~~approved~~ / ~~rejected~~ *and returned to applicant*

This Application is approved, subject to prior rights, if any, on the following conditions:

1. *Actual construction work shall be diligently prosecuted to completion.*
2. *Proof of Appropriation shall be submitted to the State Engineer's office by* Sept. 20, 1951.
3.

(Sgd) H. A. Linke
Harold A. Linke *State Engineer.*

21. Time for making Proof of Appropriation extended to
22. *Proof of Appropriation submitted.*
23. *Fee for filing Proof of Appropriation, $1, rec'd by Rec. No.*
24. *Fee for filing maps, profiles and drawings, $5, rec'd by Rec. No.*
25. *Fee for issuing Cert. of Appropriation, $1, rec'd by Rec. No.*
26. *Certificate of Appropriation, No., issued*

I HEREBY CERTIFY that the foregoing is a true copy of the Application by
to appropriate water and of the endorsements therein as shown by the records of my office on the date given below.

Salt Lake City, Utah, , 19

State Engineer.

Application No. 20278.

00-00-0000: notice to applicant; 1949

NOTICE TO APPLICANT

The approval of this Application is not a Certificate of Appropriation. It is merely your authority to begin construction work, which must be prosecuted diligently to completion. To secure a Certificate of Appropriation under this Application, Proof of Appropriation must be submitted within the time limit allowed by the State Engineer. The amount of water for which Certificate will be issued will depend upon the amount of water actually put to beneficial use, not to exceed, however, the amount of water specified in this Application. Proof of Appropriation must be made in accordance with the requirements of the law. For further information write the State Engineer.

NOTE.—The second space provided in Paragraph 3 on page 1 must not be used except when storage is contemplated; in such case Paragraph 4 (first line) should indicate the time in each year during which the water will be released and used. The lands to be inundated by the reservoir must be described under explanatory as nearly as may be and by government subdivisions if upon surveyed land, and the area of the reservoir when at full stage should be given in acres.

If the Reservoir is Located on the Channel of the Source from which the water is to be appropriated, it should be so stated under explanatory, and—

1. The location of the center of the impounding dam should be described in Paragraph 7.
2. The point where the released storage will be rediverted from the natural stream should be described under explanatory in accordance with the note under Paragraph 7.

When Water is Not Stored in the Natural Channel of the Source from which it is to be appropriated, it should be so stated under explanatory, and—

1. The point of diversion from the supplying source should be described in Paragraph 7.
2. The intersection of longitudinal axis of dam and center of stream or drainage channel and the point where the released storage will be rediverted from a natural channel should be described under explanatory in accordance with the note under Paragraph 7.

In all cases Paragraphs 8 to 18, inclusive, should describe the entire diverting works, exclusive of natural channels and laterals, even if already constructed in whole or in part.

Rules and Regulations

All waters in this state, whether above or under the ground, are the property of the public, subject to all existing rights to the use thereof. No appropriation of the unappropriated public water may be made and no rights to the use thereof shall be recognized except Application for such appropriation first be made to the State Engineer.

The Application must be signed by the applicant at the bottom of page 2 and the affidavit relating to citizenship, acknowledged before a Notary Public before the Application be received by the State Engineer.

An Application shall not be made for more than one purpose, except where the secondary purpose is a necessary incident to the primary one; as for instance, an Application for irrigation purposes may specify domestic purposes as a necessary incident.

Before so-called water savings applications to appropriate or to change are approved, if otherwise satisfactory, the applicant must submit to the state engineer data to conclusively show to the state engineer's satisfaction that the water sought to be appropriated is actually lost, and was unappropriated under conditions existing at the time of filing the application. The applicant must also show that the physical changes contemplated by the application will actually save water. If measurements to conclusively establish the loss are not taken, before changes are made, and preserved by applicant for submitting later in proof the ground work for establishing the right sought will not have been laid and the proof of appropriation might be made impossible.

If Application is Made for the Water of a Number of Springs, or other sources collected at a common point, said point should be described as the point of diversion in Paragraph 7 and the point of diversion from each source should also be described under explanatory, in accordance with the note in Paragraph 7. The quantity of water sought from each source should be indicated under explanatory, the total equaling the quantity specified in Paragraph 3. Where the source of supply is in reality a spring area, the point of diversion is the point where the water is collected; in such case the exterior boundary of the spring area must be described under explanatory by metes and bounds and located with reference to a U. S. land corner as outlined by the note under Paragraph 7.

An Application made to appropriate water for use in a single system with one or more points of diversion or sources of supply, or both, if the water is commingled, may be accepted if made by one person or by a corporation, if and when the points of diversion be in close proximity or located in contiguous sections by government survey; provided, however, that the quantity of water sought, also tie to section corner, be given for each point of diversion.

In case an error is made in the description of the point of diversion, or in case any error is made the correction of which would enlarge the rights sought in an Application after its receipt in the State Engineer's office, then such error may be corrected, but the priority date of the Application will be changed to the time when the corrected Application is resubmitted in the State Engineer's office; and, if the notice to water users has been published, the State Engineer may in his discretion cause a revised notice to be published at the expense of the applicant. No change in point of diversion will be made after publication of notice without republication of notice.

When there are two or more coapplicants the Application must be accompanied by a power of attorney, authorizing one to act for all.

The applicant's permanent address should be given in Paragraph 2, and the State Engineer notified promptly of any change in address; otherwise applicant may lose rights initiated by Application by failing to receive notices sent from the State Engineer's office.

No Application will be marked received unless accompanied with the required filing fee.

Applications accepted and numbered by the State Engineer, when returned to applicant for correction or additions, must be amended with red ink. Erasures must not be made, but any matter may be eliminated by running a red line through it. Corrected Applications must be resubmitted to the State Engineer's office, within sixty days from the date of State Engineer's letter returning Application for correction; otherwise the Application will lapse.

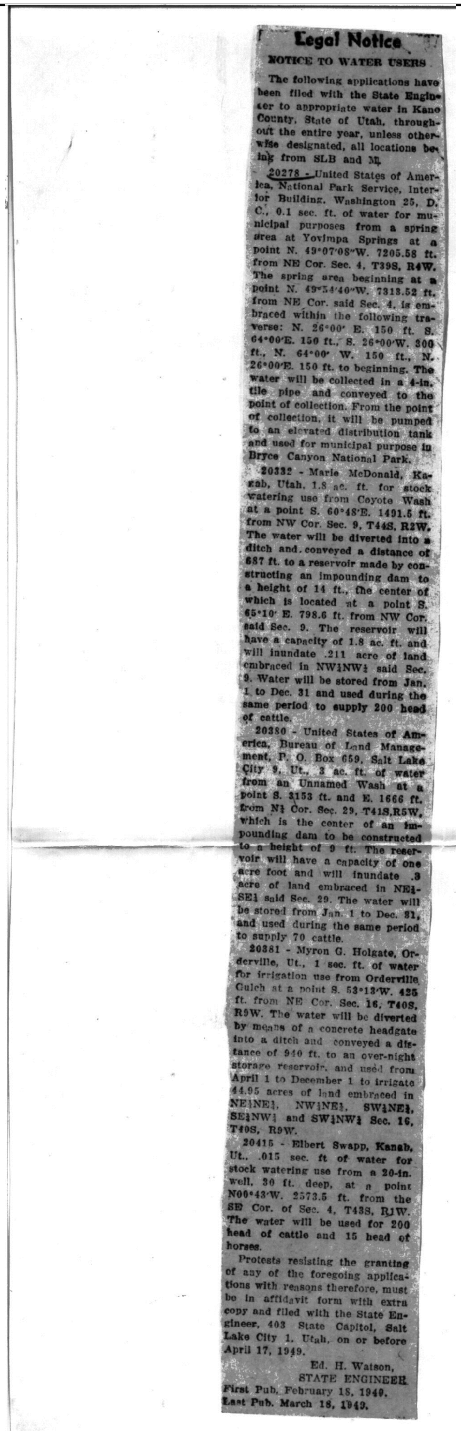
Applicants will be informed by the State Engineer's office when cost of publishing notice of Application is due, and must advance cost within sixty days after date of notice, otherwise Application will lapse.

Fees Required by Law Payable to State Engineer

For filing Application to appropriate 10 second-feet of water or less and additionally, $1.00 for each second-foot above 10.	$2.50
For filing Application to appropriate 500 acre-feet of water or less and additionally, 2 cents for each acre-foot above 500.	2.50
When the filing fee on any Application to appropriate water shall exceed $1,000.00, the balance of the fee in excess of $1,000.00 may, at the option of the applicant, be paid at the time the Proof of Appropriation is submitted.	
For approving and recording completed Application	2.50
For filing written Proof of Appropriation	1.00
For examining maps, profiles and drawings that are part of the Proof of Appropriation	5.00
For issuing Certificate of Appropriation	1.00

NOTE.—Applicants will save time and expense by familiarizing themselves with the law before making Application.

03-18-1949: notice to water users; march 18, 1949



Legal Notice

NOTICE TO WATER USERS

The following applications have been filed with the State Engineer to appropriate water in Kane County, State of Utah, throughout the entire year, unless otherwise designated, all locations being from SLB and M.

20278 - United States of America, National Park Service, Interior Building, Washington 25, D. C., 0.1 sec. ft. of water for municipal purposes from a spring area at Yovimpa Springs at a point N. 49°07'08"W. 7205.58 ft. from NE Cor. Sec. 4, T39S, R4W. The spring area beginning at a point N. 49°54'40"W. 7318.52 ft. from NE Cor. said Sec. 4, is embraced within the following traverse: N. 26°00' E. 150 ft. S. 64°00'E. 150 ft., S. 26°00'W. 300 ft., N. 64°00' W. 150 ft., N. 26°00'E. 150 ft. to beginning. The water will be collected in a 4-in. tile pipe and conveyed to the point of collection. From the point of collection, it will be pumped to an elevated distribution tank and used for municipal purpose in Bryce Canyon National Park.

20332 - Marie McDonald, Kanab, Utah, 1.8 ac. ft. for stock watering use from Coyote Wash at a point S. 60°48'E. 1491.5 ft. from NW Cor. Sec. 9, T44S, R2W. The water will be diverted into a ditch and conveyed a distance of 687 ft. to a reservoir made by constructing an impounding dam to a height of 14 ft., the center of which is located at a point S. 45°10' E. 798.6 ft. from NW Cor. said Sec. 9. The reservoir will have a capacity of 1.8 ac. ft. and will inundate .211 acre of land embraced in NW¼NW¼ said Sec. 9. Water will be stored from Jan. 1 to Dec. 31 and used during the same period to supply 200 head of cattle.

20380 - United States of America, Bureau of Land Management, P. O. Box 659, Salt Lake City 9, Ut., 3 ac. ft. of water from an Unnamed Wash at a point S. 3153 ft. and E. 1666 ft. from N¼ Cor. Sec. 29, T41S,R5W, which is the center of an impounding dam to be constructed to a height of 9 ft. The reservoir will have a capacity of one acre foot and will inundate .3 acre of land embraced in NE¼-SE¼ said Sec. 29. The water will be stored from Jan. 1 to Dec. 31, and used during the same period to supply 70 cattle.

20381 - Myron G. Holgate, Orderville, Ut., 1 sec. ft. of water for irrigation use from Orderville Gulch at a point S. 53°13'W. 425 ft. from NE Cor. Sec. 16, T40S, R9W. The water will be diverted by means of a concrete headgate into a ditch and conveyed a distance of 940 ft. to an over-night storage reservoir, and used from April 1 to December 1 to irrigate 44.95 acres of land embraced in NE¼NE¼, NW¼NE¼, SW¼NE¼, SE¼NW¼ and SW¼NW¼ Sec. 16, T40S, R9W.

20415 - Elbert Swapp, Kanab, Ut., .015 sec. ft of water for stock watering use from a 20-in. well, 30 ft. deep, at a point N06°43'W. 2573.5 ft. from the SE Cor. of Sec. 4, T43S, R1W. The water will be used for 200 head of cattle and 15 head of horses.

Protests resisting the granting of any of the foregoing applications with reasons therefore, must be in affidavit form with extra copy and filed with the State Engineer, 403 State Capitol, Salt Lake City 1, Utah, on or before April 17, 1949.

Ed. H. Watson,
STATE ENGINEER.

First Pub. February 18, 1949.
Last Pub. March 18, 1949.

Finance Officer.

April 13, 1949.

Mr. Dunn.

The attached bill for $12.00 from the State Engineer of Utah for advertising Application No. 20278 for the appropriation of water at Bryce Canyon National Park is in order for payment.

Section 100-3-6 of the Revised Statutes of Utah, 1943, prescribe that the State Engineer shall collect the fee for advertising a water right before it is published in a newspaper of general circulation within the boundaries of the river system. The section does not specify any charge for such advertising, but the State Engineer has submitted a certified statement in triplicate to the effect that the $12 fee is correct.

Apparently, too, because it is a Federal claim, he has not billed us for payment until after the publication in the local newspaper.

You will note that the payment must be made by June 6 to prevent lapse of the water right.

(SGD.) A. VAN V. DUNN

Chief, Water Resources Branch.

AvVD:sh.
Attachment.

04-07-1949: letter: re: application no. 20278; april 07, 1949

THE STATE OF UTAH
OFFICE OF STATE ENGINEER
SALT LAKE CITY

[redacted]
STATE ENGINEER

April 7, 1949

1949 APR 11 PM 1:18

acets

United States of America
National Park Service
Interior Building
Washington D. C.

Gentlemen: RE: APPLICATION NO. 20278

Reference is made to enclosed proof of Notice to Water Users concerning your Application No. 20278, which appeared in the Kane County Standard, Kanab, Utah, from February 18 to March 18, 1949.

The cost of advertising Application No. 20278 was $12.00. Therefore, please submit this amount within 60 days from date, or on or before June 6, 1949, otherwise your application will lapse.

Enclosed herewith are triplicate copies of certified invoice covering the above amount.

Yours very truly,

Harold A. Linke
STATE ENGINEER.

CNH/ig
Enc: Proof
triplicate copy of invoice

THE STATE OF UTAH
OFFICE OF STATE ENGINEER
SALT LAKE CITY

ED. H. WATSON
STATE ENGINEER

January 19, 1949

Mr. A. van V. Dunn
Chief, Water Resources Branch
National Park Service
Washington, 25, D. C.

Dear Sir: RE: APPLICATION NO. 14066

In accordance with your request dated January 14, you are allowed to and including December 1, 1949, in which to complete and return to this office Proof of Appropriation on the above captioned application, in accordance with my letter of May 11, 1948.

Yours very truly,

Ed. H. Watson

Ed. H. Watson
STATE ENGINEER

FWC/vm

Form L25 3M 7-43

IN THE OFFICE OF THE STATE ENGINEER OF THE STATE OF UTAH

REQUEST FOR REINSTATEMENT AND EXTENSION OF TIME

(Strike words not needed)

(Before Fourteen Years)

APPLICATION NO. 14066

CITY OF WASHINGTON)
STATE OF UTAH) ss
COUNTY OF)
DISTRICT OF COLUMBIA)

A. van V. Dunn, being first duly sworn says that he is the ~~owner or~~ the agent of the owner of the above numbered Application; that he knows of his own knowledge that the construction of works as contemplated by the Application was actually commenced within 6 months after the date of approval of the Application, and that the work has since been prosecuted with diligence.

The nature, extent and approximate cost of construction work done to this date, together with a detailed statement of use to which the water has been put, is as follows: **(Describe briefly the type and extent of construction, whether impounding or diversion dam, or diverting channels and give the cost of construction. Indicate what part of the water, if any, covered by this Application has been put to beneficial use, the number of acres irrigated, etc. Mere statement as to general character of works, costs and use will not answer,—give details sufficient for one to determine what has actually been done.)**

The project has been completed at a cost of more than $8,000 to permit the diversion and beneficial use of the water, but the purpose of use has been broadened.

The nature, extent and estimated cost of construction remaining to be done to complete the work in accordance with the Application follows: **(Describe with same details as required last above.)**

To simplify proof and correct the purpose of use, Application No. 20278 has been filed as a substitute claim. Application No. 20278 has not been advertised and approved. Meantime, by letter of May 11, 1948, the State Engineer granted an extension of time until December 1 in which to make proof or amendment.

(OVER)

Request is made for reinstatement and extension of time for filing
(Strike words not needed)
proof from December 1, , 1948 , to December 1, , 1949 . Reasons why extensions should be granted are: (Give reasons why the work could not be completed and the water put to beneficial use within the time heretofore allowed and why conditions now will permit the completion of the works and filing of proof within the time requested. Be specific in statement.)

As a precaution it seems advisable to keep Application No. 14066 in good standing until Application No. 20278 is finally approved. Such extension of time, or some part thereof, is needed to permit advertizing of substitute Application No. 20278 before final approval can be granted.

Affiant upon oath states that he or the owner of the Application, whom he represents, has a bona fide intention and the financial ability to complete the works and to apply the water to beneficial use as provided in the Application, within the period of extension requested. ~~A filing fee of $1.00 is tendered herewith.~~ (Sgd) A. van V. Dunn

A. van V. Dunn
Chief, Water Resources Branch,
Applicant
National Park Service.
(If a corporation, specify the title of the officer making the affidavit and affix corporate seal)

Subscribed and sworn to before me this 14th day of January 19 49

(Sgd)Lorin A. Davis
Notary Public
My Commission Expires Nov. 14, 1951.

NOT TO BE FILLED IN BY APPLICANT

Application No._____ Request due_____Recd._____
Applicant_____ ~~Filing fee $1.00 Recd.~~_____by____
Source_____ Receipt No._____
14 year period ends_____

Request for extension approved / rejected ; time for submitting proof is hereby extended from_____to and including_____

_____ _____
Date STATE ENGINEER

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
WASHINGTON 25, D. C.

ADDRESS:
THE DIRECTOR, NATIONAL PARK SERVICE

January 14, 1949.

Mr. Ed. H. Watson,
State Engineer,
Salt Lake City, Utah.

My dear Mr. Watson:

This letter is intended to correlate past correspondence regarding water right Applications Nos. 14066 and 20278 for the appropriation of water in the Yovimpa Spring area at Bryce Canyon National Park. I was away from the office during most of November and December in connection with an unanticipated operation on my throat. Much of the correspondence I would normally receive was routed elsewhere as a result. So far as I can determine, this is to answer your letters of December 13 and 24, and the two of them answer questions in my letter of December 13 to you.

To permit you to advertise Application No. 20278, this is to concur in the suggestion in your letter of December 13 that the time of use be broadened to cover the entire year from January 1 to December 31. This is probably a sound precaution to provide for some future contingencies, but winter use is not contemplated in the immediate future.

As suggested in your letter of December 24, a request is also enclosed for an extension of time in which to complete proofs under Application No. 14066. We request an extension of one year, but only wish to cover the period until Application No. 20278 is approved and ready for final proof. Since we do not anticipate protests, the time can be reduced to what you consider ample.

Sincerely yours,

(SGD.) A. VAN V. DUNN.
A. van V. Dunn,
Chief, Water Resources Branch.

AvVD:sh.
Enclosure 397.

cc: Regional Director, Region Three (2).

C
O
P
Y

THE STATE OF UTAH
Office of State Engineer
Salt Lake City
December 24, 1948

Ed. H. Watson
State Engineer.

Mr. A. van V. Dunn
Chief, Water Resources Branch
National Park Service,
Washington 25, D. C.

Dear Sir: Re: APPLICATIONS NOS. 14066 & 20278.

Reference is made to your letter dated December 13, 1948 relative to the two above-captioned applications.

Under date of May 11, 1948, a long letter of discussion relative to proof of appropriation on Application No. 14066 was addressed to you. In that it was suggested that an entirely new application be filed covering the water for municipal purposes throughout the entire area of Bryce National Park, the source of supply being Yovimpa Spring area.

Following this suggestion there was received in this office Application No. 20278, which proposes to appropriate water from this area by the National Park Service to the extent of .1 sec. ft. of water to be used each year from April 1 to November 30. This application was received in this office October 19, 1948. A letter was addressed to your department, c/o Mr. Conrad L. Wirth, Acting Assistant Director, on December 13, 1948, a copy of which is furnished you herewith.

As you state in your letter of December 13th, there was contained in Mr. Wirth's letter of transmittal dated October 15, 1948 a statement, among other things, as follows: ".....this application is to supersede Application No. 14066, to change the purpose from domestic to municipal use." It might be inferred from this statement that you desire to withdraw Application No. 14066, so that it will not then exist as a subsisting application in this office. This procedure is not suggested. It would be a safer policy to request an extension of time in completing the proof under this latter named application until such time as Application No. 20278 will have been advertised and approved. After the approval of Application No. 20278, it would then be a safe practice to withdraw Application No. 14066. Therefore, it is suggested that you request an extension of time in which to return proof of appropriation under Application No. 14066, completed in accordance with the State Engineer's letter pertaining to it dated May 11, 1948. When withdrawal of Application No. 14066 is made, kindly refer to it as a withdrawal and not Application No. 20278 superseding it.

Yours very truly,

/s/ Ed. H. Watson
ED. H. WATSON
State Engineer

FWC/eb
Encl.

COPY

THE STATE OF UTAH
OFFICE OF STATE ENGINEER
SALT LAKE CITY

Ed. H. Watson
State Engineer

December 13, 1948

United States of America
c/o Mr. Conrad L. Wirth,
Acting Assistant Director
Dept. of the Interior
National Park Service,
Washington, 25, D. C.

Gentlemen: Re: APPLICATION NO. 20278

This will acknowledge receipt of your Application No. 20278, which proposes to appropriate 0.1 sec. ft. of water from a spring area at Yovimpa Springs for municipal purposes in Bryce Canyon National Park.

In examining the application, preparatory for advertising, it is noted that the water is to be used from April 1 to November 30 inclusive of each year. It is wondered if you might not desire to make the use from January 1 to December 31 in order to provide for domestic use by employees that might at some future date be permanently located at the park. Should you desire to make provision for year-round use, write to this office giving authorization to make the necessary amendment.

The vouchers in the amount of $2.50, covering the filing fee relative to Application No. 20278 are returned herewith unsigned for the reason that the law has been amended and a filing fee is no longer required when the applicant is the United States of America.

You will be notified of the cost of publishing Notice to Water Users as soon as the application is advertised.

Yours very truly,

ED. H. WATSON
State Engineer

CNH/ig
Enc: Vouchers

12-13-1948: letter: voucher for $2.50; december 13, 1948

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
WASHINGTON 25, D. C.

ADDRESS:
THE DIRECTOR, NATIONAL PARK SERVICE

December 13, 1948.

Mr. Ed. H. Watson,
State Engineer,
Salt Lake City, Utah.

My dear Mr. Watson:

By letter of October 15 from Conrad L. Wirth, Acting Assistant Director, we sent you a voucher for $2.50 and an application for the appropriation of water in the Yovimpa Spring Area at Bryce Canyon National Park for municipal purposes. In the last paragraph of that letter we stated that the application was to supersede Application No. 14066 covering the appropriation of the same water for domestic purposes.

We have not yet received an acknowledgment of the application, or the return of the voucher for payment, but we have received your letter of December 6 advising that we should obtain an extension of time in which to make proof under Application No. 14066 if that is the procedure we propose to follow. Our letter of October 15, application, and other enclosures, do not seem to have been cross referenced to Application No. 14066 in your office, if you have received them. Please advise us if you are unable to locate the correspondence.

Sincerely yours,

(SGD.) A. VAN V. DUNN.

AvVD:sh.

A. van V. Dunn,
Chief, Water Resources Branch.

C O P Y

THE STATE OF UTAH
OFFICE OF STATE ENGINEER
SALT LAKE CITY

ED. H. WATSON
State Engineer

December 6, 1948

Mr. A. van V. Dunn, Chief
Water Resources Branch, U.S.A.,
Department of the Interior
National Park Service,
Washington, 25, D. C.

Dear Sir: Re: APPLICATION NO. 14066

You are reminded that you have not completed proof of appropriation on the above-captioned application and returned the same to this office, although you were allowed to and including December 1, 1948 within which to accomplish this.

Kindly refer to my letter dated May 11, 1948 and request further extension of time in which to complete and return the proof, or indicate what you desire to be done relative to the whole matter.

Yours very truly,

(Sgd.) Ed. H. Watson

ED. H. WATSON
State Engineer

FWC/eb

10-15-1948: letter: application to appropriate the waters of the spring area at yovimpa springs; october 15, 1948

COPY

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
WASHINGTON 25, D. C.

ADDRESS:
THE DIRECTOR, NATIONAL PARK SERVICE

OCT 15 1948

Mr. Ed. H. Watson,
State Engineer,
Salt Lake City, Utah.

My dear Mr. Watson:

We enclose an application to appropriate the waters of the Spring Area at Yovimpa Springs in Bryce Canyon National Park for municipal purposes, and a voucher for $2.50 to cover the statutory filing fee. Please sign the voucher on the line indicated by penciled cross, and return it for payment.

As discussed in previous correspondence between you and Mr. A. van V. Dunn, Chief of our Water Resources Branch, this application is to supersede Application No. 14066, to change the purpose from domestic to municipal use. We are ready to proceed with proof as soon as the advertising is completed, and the permit is granted.

Sincerely yours,

(SGD) CONRAD L. WIRTH

Conrad L. Wirth,
Acting Assistant Director.

Enclosure 342.

09-15-1948: memorandum: water rights on yovimpa springs; september 15, 1948

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE

REGION THREE
SANTA FE, NEW MEXICO

September 15, 1948.

MEMORANDUM for the Director.

Reference is made to Mr. Dunn's memorandum of July 12, relative to water rights on Yovimpa Springs in Bryce Canyon National Park. There are enclosed copy of Mr. Smith's memorandum of September 10, and copy of Mr. Dunn's Draft of Application to Appropriate Water for Municipal Purposes, and preliminary print of drawing to accompany the application.

My memorandum of July 15 to you, answered some of the questions raised by Mr. Dunn.

With that information and the information contained in Mr. Smith's memorandum, it is hoped that Mr. Dunn will be able to complete the application and file it with the State Engineer.

J. R. Lassiter,
Regional Engineer.

Enclosure 2954856.

cc: Supt., Zion.

Zion and Bryce Canyon National Parks
Springdale, Utah

September 10, 1948

MEMORANDUM for the Regional Director, Region Three.

Reference is made to Mr. Lassiter's memorandum of July 15 and a copy of a memorandum of July 12 from Mr. Dunn regarding the Yovimpa water system and water rights at Bryce Canyon National Park.

There has not been a measurement made of the Yovimpa water during the spring when the snow is melting and the run-off is high. Observations made of the water at such times, however, indicates it is almost double.

The roof of the tank is not supported by beams but its thickness is designed to support the snow load. It is fastened to the tank by bolts to steel bars 1" wide and about 2¼" long which are in turn fastened by bolts to the tank. They are spread about 18" apart around the inside of the tank.

In relation to the platform on the side of the tank, assuming the platform is on the South side of the tank and the circumference of the tank is the azimuth of a circle.

1. The platform is at 180°.
2. The gauge is at 135°.
3. The inlet is a 2" pipe and is at 180° directly over the platform.
4. The manhole is on the roof and at 180° above.
5. The outlet is a 2" pipe running from the bottom of the tank at 0°. It changes at the ground to 1½" line which runs at 90° to the comfort station with another 1½" line running due east a short distance as a drain.
6. The drain is also a 2" line which comes out of the tank at the bottom at 0° but on a north and south line through 0° and 180° about 3' south of 0°. This drain has been equipped with a 1½" hose bib to fill water tank trucks when necessary.

There were no measurements taken of the spring's flow at similar times in 1946 or 1947. We have taken several measurements this year and will try and maintain a regular record of their flow for a few years.

Following is a tabulation of the annual precipitation at Bryce since 1932.

1932	- 18.63	inches	1940	- 20.42	inches
1933	- 15.85	"	1941	- 24.11	"
1934	- 14.41	"	1942	- 13.90	"
1935	- 22.95	"	1943	- 15.93	"
1936	- 19.12	"	1944	- 16.07	"
1937	- 19.81	"	1945	- 21.98	"
1938	- 20.29	"	1946	- 15.49	"
1939	- 19.47	"	1947	- 17.49	"

Average 16 years - 18.49 inches

A few notations have been made on the application and plan which is returned herewith.

Chas. J. Smith,
Superintendent.

enc.

In duplicate.

RECEIVED
JUL 19 1948
Form 9-311-22-40-2M
ZION NATIONAL PARK

(Draft) 7/7/48

Application No.

SUPERINTENDENT
ASS'T. SUPT.
CHIEF RANGER
CHIEF CLERK
NATURALIST

Application to Appropriate Water for ~~Domestic~~ and Municipal Purposes

STATE OF UTAH

Do not fill out this blank until you have ready carefully and thoroughly understand the Rules and Regulations on the back hereof and all the notes in the body of it.

For the purpose of acquiring the right to use a portion of the unappropriated water of the State of Utah, for domestic and municipal purposes, Application is hereby made to the State Engineer, based upon the following showing of facts, submitted in accordance with the requirements of the Laws of Utah.

NOTE.—The information given in the following blanks should be free from explanatory matter, but when necessary a complete supplementary statement should be made on the following page under the heading "Explanatory."

1. *The name of the applicant is* United States of America
2. *The post-office address of the applicant is* National Park Service, Interior Building, Washington 25, D. C.
3. *The quantity of water to be appropriated is* 0.1 × *second-feet or* ..... *acre-feet*
   (See note on following page)
4. *The water is to be used each year from* April 1 (Month) (Day) *to* October 31 (Month) (Day) *incl.*, *and stored each year (if stored) from* ..... (Month) (Day) *to* ..... (Month) (Day) *incl.*
5. *The drainage area to whcih the direct source of supply belongs is* ..... (Leave blank)
6. *The direct source of supply is*† Spring Area at Yovimpa Springs (Name of stream or other source)
   which is tributary to Lower Podunk Creek, *tributary to* Paria River

†NOTE.—Where water is to be diverted from a well or a tunnel, the source should be designated as "Underground Water" in the first space and the remaining spaces should be left blank. If the source is a stream, a spring, a spring area, or a drain, so indicate in the first space, giving its name, if named, and in the remaining spaces, designate the stream channels to which it is tributary, even though the water may sink, evaporate, or be diverted before reaching said channels. If water from a spring flows in a natural surface channel before being diverted, the direct source should be designated as a stream and not a spring.

7. *The point of diversion from* ~~*stream, spring,*~~ *spring area,* ~~*drain, well (flowing or pump), tunnel, or*~~ (Strike words not needed) *is in* Kane *county, situated at a point**
   N.49°07'08"W. 7205.58 feet from NE corner Sec. 4, T. 39 S., R. 4 W., S.L.B.&M., in unsurveyed land.

*NOTE.—The point of diversion must be located definitely by course and distance or by rectangular distances, with reference to some United States land corner or United States mineral monument, if within a distance of six miles of either, or if a greater distance, to some prominent and permanent natural object. (Also see note at top of following page.)

No Application will be received in which the point of diversion is not described definitely. Any change made in this description after Application is received and before approved will bring down the priority of Application to the date when the amendment is made of record in the State Engineer's office.

8. *The diverting and carrying works will consist of* tile collecting pipe, concrete collecting sump, pump unit, and galvanized iron diversion pipe.
9. *The cross section of the diverting channel will be* ~~□ ▽~~ O (Strike out ones not needed)
10. *The diverting works and diverting channel will be constructed of* ~~*earth, wood*~~, iron, concrete (Strike out words not needed)
11. *The length of the diverting channel, exclusive of laterals, will be* 7450 *feet*
12. *The top width of the diverting channel will be (if a ditch)* ..... *feet*
13. *The bottom width of the diverting channel will be (if a ditch)* ..... *feet*
14. *The depth of water in the diverting channel will be (if a ditch)* ..... *feet*
15. *The width of the diverting channel will be (if a flume)* ..... *feet*
16. *The depth of water in the diverting channel will be (if a flume)* ..... *feet*
17. *The diameter of the diverting channel will be (if a pipe)* 2 *inches*
18. *The grade of the diverting channel will be* ..... *feet per thousand*
    Maximum pump lift 825 feet.

all other copies of draft destroyed.

19. Name of Municipality ... Bryce Canyon National Park.

EXPLANATORY

20. Description of boundary embracing municipal area: Beg. SW Cor. Sec. 36, T. 36 S., R. 4 W., S.L.B.&M., thence on the following traverse, northerly on W. line Secs. 36 & 25 to W¼ Cor. Sec. 25, easterly on center line to center Sec. 25, northerly on C. line to N¼ Cor. Sec. 25, and easterly on N. line to NE Cor. Sec. 25, T. 36 S., R. 4 W., northerly on W. line Sec. 19, T. 36 S., R. 3 W., to NW Cor. S½S½ Sec. 19, easterly on N. line S½S½ Sec. 19 to NE Cor. SE¼SE¼, northerly on W. line Sec. 20 to NW Cor. SW¼NW¼, easterly on N. line S½NW¼ to NE Cor. SE¼NE¼, northerly on C. line Secs. 20 & 17 to SE Cor. N½SE¼SW¼ Sec. 17, westerly on S. line N½SE¼SW¼ to SW Cor. N½SE¼SW¼, northerly on C. line SW¼ Sec. 17 to NW Cor. S½NE¼SW¼ Sec. 17, easterly on N. line S½NE¼SW¼ to N.-S. C. line Sec. 17, northerly on C. line to C. Sec. 17, westerly on C. line to SW Cor. SE¼NW¼, northerly on W. line SE¼NW¼, westerly on S. line NW¼NW¼ and northerly on N.-S. C. line NW¼NW¼, and easterly on N. line to N¼ Cor. Sec. 17, northerly on C. line Sec. 8 to N¼ Cor., easterly on N. line Secs. 8 & 9 to SW Cor. SE¼SE¼ Sec. 4, northerly on W. line to NW Cor. SE¼SE¼ Sec. 4, easterly on N. line S½S½ Secs. 4, 3, & 2 to NE Cor. SE¼SW¼ Sec. 2, southerly on C. line Secs. 2, 11, 14, & 23, to SE Cor. NE¼NW¼ Sec. 23, westerly on S. line N½N½ Secs. 23 & 22 to NE Cor. SW¼NE¼ Sec. 22, southerly on E. line W½E½ to SE Cor. SW¼SE¼, easterly on S. line to S¼ Cor. Sec. 22, southerly on C. line Secs. 27 & 34 to SE Cor. NE¼NW¼ Sec. 34, westerly on S. line N½NW¼ to NE Cor. SE¼NE¼ Sec. 33, southerly on E. line to SE Cor. and westerly on S. line to S¼ Cor. Sec. 33, T. 36 S., R. 3 W., southerly on C. line to center Sec. 4, T. 37 S., R. 3 W., westerly on C. line Secs. 4 & 5 to NE Cor. NW¼SE¼ Sec. 5, southerly on E. line W½SE¼ Sec. 5 to NW Cor. NE¼NE¼ Sec. 8, easterly on N. line, southerly on E. line, and westerly on S. line NE¼NE¼ Sec. 8, southerly on E. line W½E½ to NW Cor. SE¼SE¼ Sec. 8, easterly on N. line to NE Cor. SE¼SE¼ Sec. 8, southerly on E. line Secs. 8, 17, & 20 to SE Cor. Sec. 20, westerly on S. line Secs. 20 & 19, T. 37 S., R. 3 W., and Secs. 24, 23, & 22, T. 37 S., R. 4 W., to N¼ Cor. Sec. 27, southerly on C. line to S¼ Cor. & westerly on S. line to SW Cor. Sec. 27, southerly on E. line Sec. 33 to E¼ Cor., westerly on C. line Sec. 33 to E¼ Cor. Sec. 32, southerly on E. line Secs. 32, T. 37 S., R. 4 W., and Sec. 5, T. 38 S., R. 4 W., to SE Cor. Sec. 5, westerly on S. line to S¼ Cor. Sec. 5, southerly on C. line Secs. 8 & 17 to S¼ Sec. 17, easterly on N. line Secs. 20, 21 & 22 to NE Cor. NW¼NW¼ Sec. 22, southerly on E. line W½W½ Secs. 22, 27, & 34 to SE Cor. SW¼NW¼ Sec. 34, westerly on C. line Secs. 34 & 33 to center Sec. 33, southerly on C. line to S¼ Cor. Sec. 33, westerly on S. line Sec. 33, T. 38 S., R. 4 W., to N¼ Sec. 3, T. 39 S., R. 4 W., southerly on C. line to S¼ Cor. Sec. 3, westerly on S. line Secs. 3, 4, & 5, to S¼ Cor. Sec. 5, northerly on C. line to N¼ Cor. Sec. 5, easterly on N. line Sec. 5, T. 39 S., R. 4 W., to S¼ Cor. Sec. 31, T. 38 S., R. 4 W., northerly on C. line Secs. 31, 30, & 19, to S¼ Cor. Sec. 18, westerly on S. line Sec. 18 to SW Cor., northerly on W. line Secs. 18, 7, and 6, T. 38 S., R. 4 W., and Sec. 31, T. 37 S., R. 4 W., to W¼ Cor. Sec. 31, easterly on C. line Sec. 31 to E¼ Cor., northerly on W. line Sec. 32 to NW Cor., easterly on N. line Sec. 32 to NE Cor. NW¼NW¼, northerly on W. line E½SW¼ Sec. 29 to NW Cor. NE¼SW¼, easterly on C. line to center Sec. 29, northerly on C. line to N¼ Cor. and easterly on N. line to NE Cor. NW¼NE¼ Sec. 29, northerly on W. line E½SE¼ Sec. 20 to NE Cor. NW¼SE¼, easterly on C. line to E¼ Cor. Sec. 20, northerly on W. line Sec. 21 to NW Cor., easterly on N. line to NE Cor. NW¼NW¼ Sec. 21, northerly on W. line E½SW¼ Sec. 16 to NW Cor. NE¼SW¼, easterly on C. line to center Sec. 16, northerly on C. line to N¼ Cor. and easterly on N. line to NE Cor. Sec. 16, northerly on W. line Sec. 10 to W¼ Cor., easterly on C. line to center Sec. 10, northerly on C. line Secs. 10 & 3 to NW Cor. SW¼SE¼ Sec. 3, easterly on N. line S½SE¼ to NE Cor. SE¼SE¼ Sec. 3, northerly on W. line Sec. 2 to W¼ Cor., easterly on C. line to E¼ Cor. and northerly on E. line to NE Cor. Sec. 2, T. 37 S., R. 4 W., westerly on S. line Sec. 36, T. 36 S., R. 4 W., S.L.B.&M. to SW Cor., the point of beginning.

19. Name of Municipality ... Bryce Canyon National Park.

EXPLANATORY

NOTE.—The second sale provided in Paragraph 3 on page 1 must not be used except when storage is contemplated in such reservoir during which the water will be released [illegible]

21. Legal Subdivisions of U. S. Land Survey embraced within Municipality: Sec. 36, & S½ & NE¼ Sec. 25, T. 36 S., R. 4 W., S.L.B.&M.; S½SW¼ Sec. 2, S½S½ Sec. 3, SE¼SE¼ Sec. 4, E½ Sec. 8, Secs. 9 & 10, W½ Secs. 11 & 14, Secs. 15 & 16, E½, E½NW¼, E½NW¼NW¼, S½NE¼SW¼ & N½SE¼SW¼ Sec. 17, S½S½ Sec. 19, S½, S½NW¼, & NE¼ Sec. 20, Sec. 21, W½, W½E½, & NE¼NE¼ Sec. 22, N½NW¼ Sec. 23, W½ Sec. 27, Secs. 28, 29, 30, 31, 32, 33, & N½NW¼ Sec. 34, T. 36 S., R. 3 W., S.L.B.&M.; NW¼ Sec. 4, N½, SW¼ & W½SE¼ Sec. 5, Secs. 6, 7, W½, W½E½, NE¼NE¼, & SE¼SE¼ Sec. 8, Secs. 17, 18, 19, & 20, T. 37 S., R. 3 W., S.L.B.&M.; Sec. 1, S½ Sec. 2, S½ SE¼ Sec. 3, S½ & NE¼ Sec. 10, Secs. 11, 12, 13, 14, 15, E½, & E½SW¼ Sec. 16, E½SE¼ Sec. 20, Secs. 21, 22, 23, 24, W½ Sec. 27, Sec. 28, E½, & E½SW¼ Sec. 29, S½ Sec. 31, Sec. 32, & N½ Sec. 33, T. 37 S., R. 4 W., S.L.B.&M.; Secs. 5, 6, & 7, W½ Secs. 8 & 17, Sec. 18, E½ Sec. 19, Secs. 20, 21, W½W½ Secs. 22 & 27, Secs. 28 & 29, E½ Secs. 30 & 31, Sec. 32, W½ & NE¼ Sec. 33, & W½NW¼ Sec. 34, T. 38 S., R. 4 W., S.L.B.&M.; W½ Sec. 3, Sec. 4, & E½ Sec. 5, T. 39 S., R. 4 W., S.L.B.&M.

My commission expires

(SEAL)

Notary Public.

19. Name of Municipality ... Bryce Canyon National Park.

EXPLANATORY

NOTE.—The second sage provided in Paragraph 3 on page 1 must not be used except when storage is contemplated; in such case Paragraph 4 (first line) should indicate the time in each year during which the water will be stored and used. The lands to be inundated by the reservoir must be described in the space below this note as nearly as may be and by government subdivisions if upon surveyed land, and the area of the reservoir when at full stage should be given in acres.

If the Reservoir is Located on the Channel of the Source from which the water is to be appropriated, it should be so stated in the space below, and—

1. The location of the center of the impounding dam should be described in Paragraph 7.
2. The point where the released storage will be rediverted from the natural stream should be described in the space below in accordance with the note under Paragraph 7.

When Water is Not Stored in the Natural Channel of the Source from which it is to be appropriated, it should be so stated in the space below, and—

1. The point of diversion from the supplying source should be described in Paragraph 7.
2. The center of the impounding dam and the point where the released storage will be rediverted from a natural channel should be described below in accordance with the note under Paragraph 7.

In all cases Paragraphs 8 to 18, inclusive, should describe the entire diverting works, exclusive of natural channels and laterals, even if already constructed in whole or in part.

If Application is Made for the Water of a Number of Springs, or other sources collected at a common point, said point should be described as the point of diversion in Paragraph 7 and the point of diversion from each source should also be described below, in accordance with the note in Paragraph 7. The quantity of water sought from each source should be indicated below, the total equaling the quantity specified in Paragraph 3. Where the source of supply is in reality a spring area, the point of diversion is the point where the water is collected; in such case the exterior boundary of the spring area must be described below by metes and bounds and located with reference to a point as outlined by the note under Paragraph 7.

The following additional facts are set forth in order to define more clearly the full purpose of the proposed appropriation:

Description of Spring Area at Yovimpa Springs:

Beg. N.49°54'40"W. 7312.52 ft. from NE Cor. Sec. 4, T. 39 S., R. 4 W., S.L.B.&M., in unsurveyed land, thence on following traverse, N.26°00'E. 150.0 ft., S.64°00'E. 150.0 ft., S.26°00'W. 300.0 ft., N.64°00'W. 150.0 ft., N.26°00'E. 150.0 ft., to beg., which is crossed by fault in a water bearing stratum from which the Yovimpa Springs emerge.

The water is collected in 6" tile pipe, in gravel filled trenches below the fault, and conveyed by gravity to the concrete collecting sump at point of diversion. The water is pumped from the collecting sump to an elevated distribution tank at Rainbow Point to provide water for public campground and picnic areas, comfort stations, employees' residences, fire protection, and other municipal purposes in Bryce Canyon National Park.

The number of annual visitors at Bryce Canyon National Park, nearly all of whom use the facilities at Rainbow Point, was approximately 159,000 in 1947, and the use has been increasing at between 15% and 20% per year since early in the thirties except for temporary suspension of travel during the war. The water development under this application is to provide part of the supply for the growing summer population of Bryce Canyon National Park.

United States of America,
Department of the Interior

By Associate Director
National Park Service

*Signature of Applicant**

*If applicant is a corporation or other organization, signature must be in the name of such corporation or organization by its proper officer. If a corporation, the affidavit below need not be filled in. If there are more than one applicant, a power of attorney, authorizing one to act for all should accompany the Application.

STATE OF UTAH,
County of ..... } ss.

On the ..... day of ....., 19....., personally appeared before me, a notary public for the State of Utah, the above applicant who, on oath, declared that he is a citizen of the United States.

My commission expires .....

(SEAL)

Notary Public.

07-19-1948: state engineer's endorsements; july 19, 1948

(This page is not to be filled in by applicant)

State Engineer's Endorsements

1. ..... *Application received* *over counter / by mail* *in State Engineer's office by*.....
2. ..... *Priority of Application brought down to, on account of*.....
3. ..... *Fee for filing Application, $*....., *received by*.....
4. ..... *Application copied in book*....., *page*....., *and indexed by*.....
5. ..... *Application platted by*.....
6. ..... *Application examined by*.....
7. ..... *Application returned, with letter, to*.....*for correction*
8. ..... *Corrected Application resubmitted* *over counter / by mail* *to State Engineer's office.*
9. ..... *Fee for publishing notice requested.*
10. ..... *Fee for publishing notice, $*....., *received by*.....
11. ..... *Application approved for advertisement by* .....
12. ..... *Notice to water users prepared by* .....
13. ..... *Publication began; was completed* .....
    Notice published in.....
14. ..... *Proof slips checked by*.....
15. ..... *Application protested by*.....
16. ..... *Application designated for* *approval / rejection* *by*.....
17. ..... *Fee for approving Application requested* .....
18. ..... *Fee for approving Application, $2.50, received by*.....
19. ..... *Application proofread by*.....
20. ..... *Application* *approved / rejected* *and returned to applicant*.....

This Application is approved, subject to prior rights, if any, on the following conditions:

1. *Actual construction work shall begin within six months from date of approval.*
2. *Proof of Appropriation shall be submitted to the State Engineer's office by*.....
3. .....

.....

State Engineer.

21. ..... *Time for making Proof of Appropriation extended to*.....
22. ..... *Proof of Appropriation submitted.*
23. ..... *Fee for filing Proof of Apppropriation, $1.00, received by*.....
24. ..... *Fee for filing maps, profiles and drawings, $5.00, received by*.....
25. ..... *Fee for issuing Certficate of Appropriation, $1.00, received by*.....
26. ..... *Certificate of Appropriation, No*....., *issued*

I HEREBY CERTIFY that the foregoing is a true copy of the Application by.....
to appropriate water and of the endorsements therein as shown by the records of my office on the date given below.

Salt Lake City, Utah,....., 19.....

.....
State Engineer.

Application No.....

NOTICE TO APPLICANT

The approval of this Application is not a Certificate of Appropriation. It is merely your authority to begin construction work, which must be commenced within six months from the date of approval of this Application and prosecuted diligently to completion. To secure a Certificate of Appropriation under this Application, Proof of Appropriation must be submitted within the time limit allowed by the State Engineer. The amount of water for which Certificate will be issued will depend upon the amount of water actually put to a beneficial use, not to exceed, however ,the amount of water specified in this Application. Proof of Appropriation must be made in accordance with the requirements of the law. For further information write the State Engineer.

(Not to be filled in by applicant)

No.....

APPLICATION

OF

TO

APPROPRIATE WATER

FROM

IN

FOR

DOMESTIC AND MUNICIPAL PURPOSES

Rules and Regulations

All waters in this state, whether above or under the ground, are the property of the public, subject to all existing rights to the use thereof. No appropriation of the unappropriated public water may be made and no rights to the use thereof shall be recognized except Application for such appropriation first be made to the State Engineer.

The application must be signed by the applicant at the bottom of page 2 and the affidavit relating to citizenship, acknowledged before a Notary Public before the Application be received by the State Engineer.

An Application shall not be made for more than one purpose, except where the secondary purpose is a necessary incident to the primary one; as for instance, an Application for irrigation purposes may specify domestic purposes as a necessary incident.

An Application made to appropriate water for use in a single system with one or more points of diversion or sources of supply, or both, whether the water be commingled or not, may be accepted if made by one person or by a corporation, if and when the points of diversion be in close proximity or located in contiguous sections by government survey; provided, however, that the quantity of water sought, also tie to section corner, be given for each point of diversion.

In case a material error is made in the description of the point of diversion, or in case any error is made the correction of which would enlarge the rights sought in an Application after its receipt in the State Engineer's office, then such error may be corrected, but the priority date of the Application will be changed to the time when the corrected Application is resubmitted in the State Engineer's office; and, if the notice to water users has been published, the State Engineer may in his discretion cause a revised notice to be published at the expense of the applicant.

When there are two or more coapplicants the Application must be accompanied by a power of attorney, together with a fee of $1.00, authorizing one to act for all.

The applicant's permanent address should be given in Paragraph 2, and the State Engineer notified promptly of any change in address; otherwise applicant may lose rights initiated by Application by failing to receive notices sent from the State Engineer's office.

No Application or other paper pertaining to an Application will be marked received unless accompanied with the required filing fee.

Applications accepted and numbered by the State Engineer, when returned to applicant for correction or additions, must be amended with red ink. Erasures must not be made, but any matter may be eliminated by running a red line through it. Corrected Applications must be resubmitted to the State Engineer's office, within sixty days from the date of State Engineer's letter returning Application for correction; otherwise the Application will lapse.

Applicants will be informed by the State Engineer's office when cost of publishing notice of Application is due, and must advance cost within sixty days after date of notice, otherwise Application will lapse.

Fees Required by Law Payable to State Engineer

For filing Application to appropriate 10 second-feet of water or less and additionally, $1.00 for each second-foot above 10.	$2.50
For filing Application to appropriate 500 acre-feet of water or less and additionally, 2 cents for each acre-foot above 500.	2.50
When the filing fee on any Application to appropriate water shall exceed $1,000.00, the balance of the fee in excess of $1,000.00 may, at the option of the applicant, be paid at the time the Proof of Appropriation is submitted.	
For approving and recording completed Application	2.50
For examining and filing written Proof of Appropriation	1.00
For examining and filing map, profile and drawings that are part of the Proof of Appropriation	5.00
For issuing Certificate of Appropriation	1.00
For filing and examining paper of assignment	1.00
For filing protests against the granting of Application or answers thereto	1.00
For filing an affidavit or any other paper	1.00

NOTE.—Applicants will save time and expense by familiarizing themselves with the law before making Application.

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
~~CHICAGO, ILLINOIS~~
Washington 25, D. C.

ADDRESS ONLY
THE DIRECTOR, NATIONAL PARK SERVICE

September 2, 1948.

Mr. Ed. H. Watson,
State Engineer,
Salt Lake City, Utah.

My dear Mr. Watson:

The attached requests for extension of time in which to make proof of construction and use at Zion National Park under applications Nos. a-1657, a-1658, a-1659, and a-1660, will be followed in a few days by a new application for the appropriation of the waters of Yovimpa Springs for municipal use at Bryce Canyon National Park. The latter application will supersede application No. 14066.

The proofs on all of these applications can be made during the coming year. The proof on the new application for appropriation of the waters of Yovimpa Springs, however, will follow advertising and your granting of the new permit.

With the attached requests for extension of time, we wish to place the proofs of appropriation at Zion National Park after that for Bryce Canyon in order to profit by experience gained while making proof on the less complicated water system at Bryce Canyon. As you know from past discussion and correspondence, there are a multiplicity of diversions and areas of use at Zion National Park, to which we are transferring parts of the rights under the above applications a-1657 to a-1660.

Sincerely yours,

(SGD.) A. VAN V. DUNN.

AvVD:sh.

A. van V. Dunn,
Chief, Water Resources Branch.

Enclosure 284.

cc: Regional Director, Region Three (2).



UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
CHICAGO, ILLINOIS
Washington 25, D. C.

ADDRESS ONLY
THE DIRECTOR, NATIONAL PARK SERVICE

July 16, 1948.

MEMORANDUM for the Regional Director, Region Three.

From the measurement of the flow of the Yovimpa Springs, at Bryce Canyon National Park, on June 11, as reported by Mr. Smith in the enclosure with Mr. Patraw's memorandum of July 9, we propose to raise the claim in the new water right application to 0.1 second-foot when you return the draft sent for your comments on July 12. The following proof will describe the two measurements, and any others which may be provided by fall, and the final license will probably be granted to the use of 0.086 second-foot. This will provide a right for considerable future development if the demand arises, and the flow continues.

The description of the tank does not indicate whether the roof is supported by beams, or has a thickness to support the 90-pound load due to its thickness as a slab. If beams are used, we should know their sizes and shapes, and the number in the circumference.

Assuming that the State Engineer might have his representative make a field inspection, it will be advisable to show the locations of the manhole, inlet, outlet and drain pipes, and gauges with relation to the platform. We may assume that the manhole is directly above the platform. Also, assuming that the outlet pipe is about 6 inches from the wall, I presume that the drain is 2 feet from the wall.

All of these questions can be answered after we file the application, but if you have not already returned the draft of the application and the map, it will be helpful to have the answers shown on the latter. In fact, only the draft of the application need be returned at once.

(SGD.) A. VAN V. DUNN

Chief, Water Resources Branch.

AvVD:sh.

In duplicate.



UNITED STATES

DEPARTMENT OF THE INTERIOR

NATIONAL PARK SERVICE
REGION THREE
SANTA FE, NEW MEXICO

July 15, 1948.

MEMORANDUM for the Director.

Reference is made to Mr. Dunn's memorandum of July 12, relative to water rights at Yovimpa Springs in Bryce Canyon National Park.

One copy of the application, a print of the drawing, and a copy of Mr. Dunn's memorandum are being transmitted to Zion National Park with copy of this memorandum for any additional comments that Mr. Smith feels necessary.

Mr. Smith's memprandum to this office of June 24 answered the question raised in the second paragraph of Mr. Dunn's memorandum stating that no part of the surface flow from Yovimpa Springs leaves the park or passes on to any private land.

The measurement of flows made by Chief Ranger Fagergren on June 11, shows a flow of 40 gallons per minute. This is 5 g.p.m. less than the 0.1 second foot requested in the application. Mr. Smith states that the spring appears to be flowing at a greatly accelerated rate over previous years. He is requested to advise us if there is any information available to show that the springs have flowed in excess of the 0.1 second foot requested, and to advise whether he thinks we should increase the application to cover any possible increase in the discharge of the springs following the spring run-off resulting from extremely heavy snowfall.

It is noted that in the description of the spring area you show the beginning point as 7312.52 feet from the northeast corner of Section 4. The drawing shows the distance as 7313.52 feet. The second paragraph of the description mentions a 6 inch tile pipe, whereas the plan indicates that a 4 inch tile pipe leads from the springs to the sump.

corrected to 7313.5 on app. submitted to State Engineer

JAMES R. LASSITER

J. R. Lassiter,
Regional Engineer.

In duplicate.
cc: Supt., Zion, with enclosures.

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
~~CHICAGO, ILLINOIS~~
Washington 25, D. C.

ADDRESS ONLY
THE DIRECTOR, NATIONAL PARK SERVICE

July 12, 1948.

MEMORANDUM for the Regional Director, Region Three.

The enclosed draft of an application to appropriate waters at Yovimpa Springs Area of Bryce Canyon National Park for Municipal Purposes, and print of drawing NP-BC-6953, both in duplicate, are submitted for your review and comments. We have used an old form for the draft, adding questions 19, 20, and 21 to make it agree with the form now in use. Please return one copy of the application and the drawing with your comments, making illustrative notations as you see fit.

The plan to file the new application is based on the assumption, indicated on the drawing, that no surface flow of the springs flows to the Paria River where it could be claimed by others, and your verification of this point is needed before we file the application. If there has been such surface flow, we shall have to make further study of the possible loss of priority by substituting this application for Application No. 14066.

The drawing is part of the subsequent proof for license, and included here only because it is the basis for the application, and it should have your review before being used. Apparently we may make proof on the new application as soon as it is accepted, assigned a number, and advertised. This will take the rest of the summer. Therefore, we will have the added attendance records for this travel year. By that time, too, we must have an actual measurement of the flow of the springs.

It may be desirable to measure the spring flow two or three times this summer, to determine the extent of seasonal variation. Also, if there was a similar measurement in 1946 or 1947, after the springs were developed, one measurement should be on the same date this year, and both records should be sent to us. It would also be helpful to have the annual precipitation at Bryce Canyon for as many years as possible, if such records have been kept. Otherwise, we will use the records from the nearest Weather Bureau station. From these data, we will decide whether present measurements are too low because of a dry phase of the cycle, to permit immediate proof. Also, if the flow measurements exceed 0.01 second foot before the application is filed, we should raise the claimed quantity of water.

FOR VICTORY
BUY UNITED STATES WAR BONDS AND STAMPS

(SGD.) A. VAN V. DUNN
Chief, Water Resources Branch.

AvVD:sh.
Enclosure 395.
In duplicate.

WR Copy

UNITED STATES

DEPARTMENT OF THE INTERIOR

NATIONAL PARK SERVICE

REGION THREE

SANTA FE, NEW MEXICO

July 9, 1948.

MEMORANDUM for the Director.

There are enclosed two copies of Mr. Smith's memorandum of June 24 which answers three questions raised in Mr. Dunn's memorandum of May 20 to this office, relative to the water rights on Yovimpa Springs at Bryce Canyon National Park.

We concur in Mr. Dunn's proposal to establish a municipal status and to make final proof on this basis, even though this method requires the abandonment of our earlier application No. 14066. As stated, the priority is of little value as the flow of the springs does not leave the park.

The point of diversion and description of the spring area as outlined in the last paragraph of Mr. Dunn's memorandum is satisfactory to this office.

R. P. PATRAW

P. P. Patraw,
Associate Regional Director.

In duplicate.
Enclosure 2954736.

cc: Supt., Zion (2).

1—038 a

ENCLOSURE 2954735

DEPARTMENT OF THE INTERIOR

6—6945

Zion and Bryce Canyon National Park
Springdale, Utah

June 24, 1948

MEMORANDUM for Regional Director, Region Three.

Reference is made to the copy of Mr. Dunn's memorandum of May 20 requesting information needed to resubmit an application on the water at Yovimpa Springs at Bryce Canyon National Park.

Following are statements that Mr. Lassiter indicated we were to answer:

No surface flow of water from Yovimpa Springs leaves the park or passes on to private land.

The tank is of approximately 5,000 gallon capacity. It is 10' 9" in diameter and 8' 0" (shell height). It is constructed of 3/16" copper bearing steel with the bottom of 1/4" copper bearing steel. The bottom of the tank is flanged upward 1-1/2". The shell of the tank is set inside of the bottom and welded on the outside to the bottom flange. All joints are electric welded inside and outside. The tank has a bolted manhole located in the corner near the edge of the tank and has a vent outlet 2" in size located in the center of the cone. The inlet is a 2" pipe 6" below the top of the tank. The outlet is a 2" pipe located 3" above the bottom and on the opposite side from inlet. The drain is in the bottom 18" out from outlet opening. The tank is covered with a conical roof with edges projecting about 2" beyond the shell of tank. The roof is designed to support a load of 90 pounds per square foot over its own weight. The tank is provided with a gauge board of two slides and a target with float, etc. The tank when erected was painted with two coats of rust resistent paint. The standpipe is on the outside of the tank. We have no drawing of this tank.

The flow of Yovimpa Springs was again measured under the direction of Chief Ranger Fagergren on June 11. One measurement was taken starting with the sump dry. It filled to a level of 32" in exactly one hour. From the dimensions of the tank this is at the rate of 38.32½ gallons per minute or 55,186 gallons per day. Another measurement was made with a 10-gallon milk can after the tank was full by catching the water from the overflow pipe. By this latter method it measured 40 gallons per minute, 10 gallons per 15 seconds, or 57,600 gallons per day. These figures, we realize, show a much larger flow than was measured before. The spring appears to be flowing at a greatly accelerated rate over previous years. We do not believe this flow will hold throughout the summer and we can't

0.0857 S.F

0.089 S.F.

plan to use this quantity now. However, we hope our filing will include the increased amount of water. This great increase in spring flow is noted for all the springs in the vicinity of the East Fork of the Sevier.

We agree with Mr. Dunn that the loss of priority we would suffer by filing a new application is well justified and will not effect our use adversely.

Chas. J. Smith,
Superintendent.

In triplicate

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
~~CHICAGO, ILLINOIS~~
Washington 25, D. C.

ADDRESS ONLY
THE DIRECTOR, NATIONAL PARK SERVICE

May 20, 1948.

Mr. Ed. H. Watson,
State Engineer,
Salt Lake City, Utah.

My dear Mr. Watson:

Reference is made to your letter of May 11 with regard to proof under Application No. 14066 for the appropriation of the waters of Tovimpa Springs at Bryce Canyon National Park.

I have written for verification of my belief that the waters disappear in the ground near these springs, and thus become part of the undefined ground water at least a mile from any point where they are accessible to others. On that basis, I am inclined to file a new application for appropriation of the water for municipal purposes on receipt of the verification from the Park.

I can see your point in connection with a possible "change in point of diversion" because of the previous advertisement of the notice of appropriation. However, such action will not be necessary if I use the new application. It might be pointed out, however, that the difference between ties in the application and proof results from more refined surveys after filing the former. There are no other springs to confuse the identity, and no one else has access across the Park land. Hence, the technicality of "changing point" did not seem necessary to me, particularly since it has not been necessary in similar cases in California.

By degrees, I am assembling a library of Utah water right manuals, but I am surprised at the number of new ones I have obtained during the last few years, after trying to obtain a complete set about ten or twelve years ago. The following list constitutes my present assembly, and it will be appreciated if you will send me any others which I should have to complete my files:

1. Water Laws of Utah - Your compilation of 1943 being my latest.



2. Rules and Regulations for Preparing Plans and Specifications for Earth Dams - Your compilation of April 15, 1942.

3. Rules and Regulations for Submitting Proof of Appropriation and Use of Water - Your compilation of April 15, 1942.

4. Rules and Regulations - Applications to the State Engineer- Your compilation of May 1, 1942.

5. Rules and Regulations for Drilling Wells - Your compilation of May 1, 1942.

6. Rules and Regulations - Promulgated by the State Engineer, June 1, 1947 - (received since filing proof on Application No. 14066).

Sincerely yours,

(SGD.) A. VAN V. DUNN

A. van V. Dunn,
Chief, Water Resources Branch.

AvVD:sh.

cc: Regional Director, Region Three (2).

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
~~CHICAGO, ILLINOIS~~
Washington 25, D. C.

ADDRESS ONLY
THE DIRECTOR, NATIONAL PARK SERVICE

May 20, 1948.

MEMORANDUM for the Regional Director, Region Three.

The enclosed letter of May 11 has just been received from the State Engineer of Utah, as a rejection of the proof on Application No. 14066 for the appropriation of the waters of the Tovinpa Springs at Bryce Canyon National Park.

At the time we filed this application the same form was used for applications to appropriate water for municipal and domestic purposes. In addition, Mr. Humpherys was still State Engineer and opposed to granting the United States municipal status for any developments of this Service. On the other hand, in addition to adopting separate forms for these two uses, Mr. Watson has been very agreeable to our claims for municipal status since he became State Engineer.

Since we cannot prove any domestic use at this time, under Application No. 14066, and since Mr. Watson uses a narrower definition of domestic use than Mr. Humpherys, I have been trying to establish municipal status and make final proof, rather than keep the right in permit form for an extended period. Apparently this cannot be done without filing a new application and obtaining a permit with priority date of that filing. I think that the loss of priority is justified to gain the municipal status. As a matter of fact, the priority is relatively meaningless if the flow of the springs disappears in the ground near the source of origin.

I propose to file an application for appropriation for municipal purposes if that is agreeable to you, and provided no surface flow of the spring leaves the Park, or passes on to private land. Please confirm the latter if agreeable to the former.

The need for a change in point of diversion ceases if we file the new application. For your information, however, the point described in the application was based on drawing NP-BC-9801 and correspondence, including my memorandum of December 3, 1940, for you. The point described in the proof is based on approved drawing NP-BC-5312. In most states, the minor changes would be accepted (they always are in California even though that state also uses the system of advertising notices). However, Mr. Watson has brought



up a good point to remember in all cases where there is advertising of such notices.

You will note that Mr. Watson requests that the plan of the elevated tank be added to the drawing. We have drawing NP-BC-5314, which gives the details of the tower, but nothing on the tank. We should have more information on steel thickness, internal diameter, height, freeboard, type of roof, and whether of welded, riveted, or bolted construction. Also, is there an overflow pipe, and is the standpipe on the outside or through the tank? The loan of working drawings should provide this information if they are available.

The proof of the quantity of water for municipal use differs from that for domestic and irrigation purposes in that it is only necessary to prove the availability of supply, and the adequacy of the capacity of the system. For this reason, we now need accurate measurements of the flow entering the collecting sump. (Our records only show that the flow was about 3900 gpd before construction, and that you expected to obtain more by development.) To measure flow, I should pump the sump dry, or nearly so, and then measure the time required to refill to a depth of 3 or 4 feet. We shall also want to know who makes the measurement, and the date of measurement.

Since Mr. Watson has raised the points, I have also decided to be critical of the point of diversion and size of the spring area. From the data on drawing NP-BC-5312, I have picked the point where the collecting pipe emerges from the concrete on the inside of the sump, as the point of diversion. Then, to describe the spring area, I have decided to begin at the 36" pine (Reference Point 2), thence N 26°00' E. 150 feet (which is approximately parallel to a straight line between Springs A and B), thence S 64°00' E 150 feet, thence S 26°00' W 300 feet (passing about 6 feet below the collecting sump), thence N 64°00' W 150 feet, and thence N 26°00' E 150 feet to point of beginning. This is shown on accompanying prints of drawing NP-BC-6952, and seems to fit the topography which has been supplied since the original area was described.

(SGD.) A. VAN V. DUNN

Chief, Water Resources Branch.

AvVD:sh.
Enclosure 356.
In duplicate.

COPY

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
~~CHICAGO, ILLINOIS~~
Washington 25, D. C.

ADDRESS ONLY
THE DIRECTOR, NATIONAL PARK SERVICE

April 6, 1948.

Registered Mail

Mr. Ed. H. Watson,
State Engineer,
Salt Lake City, Utah.

My dear Mr. Watson:

Reference is made to your letter of March 26 with regard to our Application No. 14066 for the appropriation of the waters of Yovimpa Spring at Bryce Canyon National Park.

The tracing of the proof map seems to have lost its address sticker while in transit between here and Chicago. After a reasonable time the postal authorities opened the wrapper and returned the contents to the address in the title panel.

To date, your correspondence has been based on an incomplete assembly of the data. Since our application for extension of time seems to preserve the priority of rights under this application-permit for the time being, the proof and tracing are enclosed together, herewith, for final review.

So far as we can determine at the moment, the difficulty seems to be that we filed the application on February 11, 1941, on form F-b-11-22-40-2M, for Domestic and Municipal Purposes, and that since 1945 you have been using two separate application forms for Domestic and Municipal Purposes; the latter, of which you enclosed a copy on March 26 of this year, being form F-mu-5-11-45-2M.

If I understand correctly, form F-mu-5-11-45-2M was not adopted until 4-1/4 years after our application was filed. On this basis, your suggestion to file a new application on the new form would seem to result in an unjust loss of priority of 7 years.

You also suggest that we should have crossed out "Domestic" when preparing the application. In preparing that application for



Superintendent Davis, without doing so, I was guided by the third rule, or regulation on the last page, which indicates that two purposes can be included in one application if one is incidental to the other. It never occurred to me that Domestic use would be other than incidental, if Municipal status were accepted at all. I also assumed that all water use in a comfort station, a campground, or an employee's residence, was of a Domestic character; and that Municipal status only served to increase the priority because of the larger number of people served, and to confirm a further increase in ultimate use without further, prolonged proofs. The only question in my mind has been whether you could accept these features of Municipal use, and grant final license without the further bother to you and to us of biennial extensions of time while the water use continues to grow.

Your letter of March 26 suggests that the Municipal status may be acceptable. For that reason, I feel justified in returning the proof for further consideration. As suggested in your letter of March 16, however, I have added pumping records at the bottom of the page of General Remarks. I also enclose another print of the chart of attendance records in case you do not wish to consider my letter of January 21 as part of the proof.

We also return the purchase order and voucher to cover charges for making proof. If you decide that the proof can be accepted with minor changes, the voucher can be signed and returned for payment when the proof is returned for these possible changes.

Sincerely yours,

(SGD.) A. VAN V. DUNN

A. van V. Dunn,
Chief, Water Resources Branch.

AvVD:sh.
Enclosure 174.

cc: Regional Director, Region Three (2).

04-06-1948: memorandum: tracing no. np-bc-6952; april 06, 1948

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
~~CHICAGO, ILLINOIS~~
Washington 25, D. C.

ADDRESS ONLY
THE DIRECTOR, NATIONAL PARK SERVICE

April 6, 1948.

MEMORANDUM for the Regional Director, Region Three.

To close the matter of the lost tracing No. NP-BC-6952, to which reference was made in my memorandum of March 23 and Mr. Lassiter's reply of March 31, the roll was returned from Chicago last week, somewhat the worse for wear. Apparently, the franked addressed label came off, and the title block served as the return address.

(SGD.) A. VAN V. DUNN
Chief, Water Resources Branch.

AvVD:sh.
In duplicate.



WRC

UNITED STATES

DEPARTMENT OF THE INTERIOR

NATIONAL PARK SERVICE

Region Three

Santa Fe, New Mexico March 31, 1948.

MEMORANDUM for the Director.

Reference is made to Mr. A. Van V. Dunn's memorandum of March 23, regarding the non-receipt by the State Engineer of Utah of the tracing NP-BC-6952 relating to Application No. 14066 for the appropriation of the waters of Yovimpa Spring at Bryce Canyon National Park. A search of this office indicates that the tracing was not received here. We do have a print of it.

JAMES R. LASSITER

J. R. Lassiter,
Regional Engineer.

In duplicate.

C
O
P
Y

THE STATE OF UTAH
Office of State Engineer
Salt Lake City
March 26, 1948.

Ed. H. Watson
State Engineer

A. van V. Dunn, Chief,
Water Resources Branch
U. S. Dept. of the Interior
National Park Service
Washington 25, D. C.

Dear Sir: Re: APPLICATION NO. 14066

Reference is made to your letter dated January 20; to the letter from Mr. A. E. Demaray of March 1; to your letter of March 4 and to my letters of February 26 and March 16, 1948 relative to the above-captioned application.

To again review this application, an examination of the records in this office shows that you filed Application No. 14066 on a form formerly used by this office for either domestic or municipal purposes. Had you desired to cover only municipal purposes, you should have stricken the word "Domestic" and all reference thereto and have the application refer to municipal purposes. In view of the fact that the word "Domestic" was not stricken, one must rely on the intent of the application as approved, which beyond a question refers to domestic purposes being that it is on a domestic blank with other incidental uses. When an application is made for a primary purpose, the incidental uses must be less than the primary uses. For this reason your application is, in our opinion, limited to domestic purposes with incidental uses. Had you seen fit to strike the word "Domestic" and all reference thereto, then under "Explanatory" state that it was the intent to use the water for municipal purposes within Zion National Park--giving the exterior boundaries of the park--you would have complied with the requirements for a municipal application. Had such an application been filed making clear that it was for municipal purposes, when proof was made you could have come under the provisions of Rule No. 30, page 10 of "Rules and Regulations Promulgated by the State Engineer, June 1, 1947", a copy of which pamphlet is furnished you herewith. This rule provides as follows:

> "30. Where proof is made under an application to appropriate water for municipal purposes, a certificate will be issued for the quantity of water actually impounded, if storage is involved, or for such quantity of water in direct flow as applicant shall have completed all necessary works to convey to the actual place of use within the corporate limits of the town or city, provided the proof shows conclusively that the water is available."

Thus, it should be clear to you that you would not have to wait until such time as you had completely used all the water from the source under the application before submitting proof and receiving a certificate of appropriation.

A. van V. Dunn, Chief,
Water Resources Branch

March 26, 1948

It appears that you will have lost nothing by filing a new application for Municipal purposes on the form enclosed for that purpose. This is predicated upon the assumption that there are no intervening rights between Application No. 14066 and the new one which you would file. To guard against this eventuality, it would be well to keep Application No. 14066 alive and in force until such time as you might make an examination of the records to satisfy yourself of the conditions relative to intervening rights. After this has been done, you might withdraw Application No. 14066 and file proof of appropriation for municipal purposes under the new application in accordance with Rule No. 30 hereinbefore referred to.

As Application No. 14066 has been drawn, it should have been for miscellaneous purposes and on such a form, as mentioned in my former letters.

Yours very truly,

/s/ Ed. H. Watson

Ed. H. Watson
STATE ENGINEER

FWC/nty
Enc.: Appl. form
Pamphlet

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
CHICAGO, ILLINOIS
Washington 25, D. C.

ADDRESS ONLY
THE DIRECTOR, NATIONAL PARK SERVICE

March 23, 1948.

MEMORANDUM for the Regional Director, Region Three.

Reference is made to the letter of March 1 to the State Engineer of Utah, from Mr. Demaray, transmitting proof under Application No. 14066 for the appropriation of the waters of Yovimpa Spring at Bryce Canyon National Park.

We have been advised that the tracing, NP-BC-6952, which was sent under separate cover, had not been received by the State Engineer on March 16. The narrative proof was returned as useless without the map.

We have made a search of this Office without success. Assuming that the tracing was not just lost or delayed in the mails, the only other possibility seems to be that the franked sticker was detached in the mail room, and that the tracing was then sent to you.

If you have, or should receive the tracing, please return it to us.

(SGD.) A. VAN V. DUNN
Chief, Water Resources Branch.

AvVD:sh.

In duplicate.



03-23-1948: letter: proof map; march 23, 1948

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
~~CHICAGO, ILLINOIS~~
Washington 25, D. C.

ADDRESS ONLY
THE DIRECTOR, NATIONAL PARK SERVICE

March 23, 1948.

Mr. Ed. H. Watson,
State Engineer,
403 State Capitol,
Salt Lake City, Utah.

Dear Mr. Watson:

It has been disconcerting to receive your letter of March 16, advising that you had not, at the time, received our proof map in connection with Water Right Application 14066 for the appropriation of waters of Yovimpa Spring at Bryce Canyon National Park. We have not determined yet, whether it has been delayed, or lost in the mails, or misdirected. Since we have a request for extension of time on record, we will allow a few more days for its appearance before we consider reproduction, or other action. We assume that we will be advised if, or as soon as, the map is received.

Sincerely yours,

(SGD.) A. VAN V. DUNN
A. van V. Dunn,
Chief, Water Resources Branch.

AvVD:sh.



WR Files Dunn Vint

THE STATE OF UTAH
OFFICE OF STATE ENGINEER
SALT LAKE CITY

ED. H. WATSON
STATE ENGINEER

RECEIVED
Chief Clerk's Office
NATIONAL PARK SERVICE
1948 MAR 22 AM 9:40

March 16, 1948

Director, U. S. National Park Service,
Washington, 25, D. C.

Dear Sir: Re: APPLICATION NO. 14066

This acknowledges receipt of a letter from A. E. Demaray, Associate Director, National Park Service, relative to the above-captioned application. Also received is one affidavit relative to request for extension of time and one set of written proof on the same application. In the letter it is provided that the proof maps were being mailed. The date of this letter was March 1, date of receipt in this office was March 5. Up to the present writing the proof maps have not been received. When proofs are submitted they must consist of two parts, the written proof and maps. For the reason that the maps did not accompany the written proof and have not yet been received, the written proof is returned to you herewith as being unsatisfactory for filing.

Also returned is voucher for fees. Please be advised the federal government is exempted from fees in this office. They are, however, subject to advertising costs.

In examining the written proof it is disclosed that there are no water measurements submitted. In giving further consideration to the letter of Mr. A. van V. Dunn, dated January 20 and commenting further on my reply of February 26th, it appears that it would be useless for you to withhold proof under this application if the water has been fully used as contemplated under it for domestic purposes, with incidentals being secondary thereto, as explained in my letter. It is suggested that you file a new application for miscellaneous purposes, stating fully the contemplated uses. In this way each use will have an equal weight. A form on which to file

application for miscellaneous purposes is enclosed. Should you desire to proceed under Application No. 14066 you may still do so as you have filed a request for extension of time, which will be given due consideration, after which you will be advised relative to the matter.

Yours very truly,

ED. H. WATSON
State Engineer

FWC/eb

Encl: 3

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
WASHINGTON 25, D. C.

ADDRESS ONLY
THE DIRECTOR, NATIONAL PARK SERVICE

March 4, 1948.

AIR MAIL

Mr. Ed. H. Watson,
State Engineer,
Salt Lake City, Utah.

Dear Mr. Watson:

Your letter of February 26 regarding Application No. 14066 for the appropriation of water at Bryce Canyon National Park has arrived since we submitted a partial proof with a letter of March 1 from Mr. A. E. Demaray, Associate Director. The proof, together with my letter of January 21, seem to give a fairly good description of our water use, for your consideration, but your letter suggests that we should give a further explanation of why we have used the forms for Domestic and Municipal Use.

While a national park is not a city, it is comparable to one or more villages. We have actually had the communities at the North and South Rims of Grand Canyon National Park recognized as towns in Arizona, and the State Engineer of Oregon has recognized the municipal status of Crater Lake National Park as a whole. Bryce Canyon National Park is also a community with an average summer population of 1300 in 1947 and an annual growth even more rapid than that of most towns. At certain times during the summer, the population is already more than twice the average.

Here, then, are several thousand people (the public) who make the community their temporary home for a part of each summer. We believe that they are entitled to a water supply assured by a water right priority equal to that enjoyed at their rural or urban homes. Between 25 and 50 employees and their families, not included in the visitor count of 1287, actually live in the Park for nearly 6 months of the year. There are also hotel and campground accommodations for the Park visitors. There are also a general store, souvenir shops, gasoline stations, auto repair shops, administration buildings, and a utility area similar to the normal city "yard."

The Rainbow Point area is similar to a suburban park in this development, and 16.5 miles from the main village, by motor road. Its water system, covered by Application 14066, is independent of

the supply for the main development; the water use is integrated with that of the main development, to satisfy the human wants of the visiting public. This water system is provided at no cost to the consumers, to supply the public need. For these reasons, we believe that it is entitled to the preferential priority of domestic or municipal use, and to provision for increasing demands under the same priority.

Your letter also seems to suggest that since Rainbow Point is not in itself a municipality, the use must be domestic; and that Utah, like New Mexico, gives a narrow meaning to the word "domestic." With that interpretation, the major use would have to be in one or more residences. As a matter of fact, the caretaker's residence has not been constructed to date, because of industrial and economic conditions since December 1941. Even when such accommodations are provided, the resulting water use will not exceed 200 or 300 gallons per day, of the total ultimate use of 0.01 sec. ft. (6,463 gpd).

The application also contemplated campground use for both camping and picnicking. The former requires about 35 gallons per capita, and the latter about 15 gallons per capita. Individual use of the comfort station requires about 5 gallons. Overnight camping has not been initiated to date. Present water use, therefore, is almost entirely for sanitary purposes by those who pause to look at the view or park to use one of the trails into the canyon. Since this type of use already requires about half the flow of the spring, and authorized use under Application 14066, and the trend of such use has every suggestion of doubling within the next 10 years, it is evident that camping will have to be discouraged so long as that activity at Rainbow Point is dependent on the limited water supply.

It is hoped that this information will permit you to determine what procedure to follow, to perfect the right with the most favorable priority and the minimum extension of time.

Sincerely yours,

(SGD.) A. VAN V. DUNN

A. van V. Dunn,
Chief, Water Resources Branch.

AvVD:sh.

cc: Regional Director, Region Three (2),
with 2 copies of Mr. Watson's letter of Feb. 26.

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
CHICAGO, ILLINOIS

ADDRESS ONLY
THE DIRECTOR, NATIONAL PARK SERVICE

Bryce Canyon
660-85.7

March 2,1948

Mailed air mail March 4

RE: APPLICATION NO. 14066

This is to remind you that proof of appropriation as contemplated by Application No. 14066 will be due in this office March 8,1948, notice for which was mailed you Jan. 7,1948.

If said proof is not received or request for extension of time filed on or before Mar. 8,1948, your application will lapse.

Ed. H. Watson

Ed. H. Watson,
STATE ENGINEER



Form L25 3M 7-43

IN THE OFFICE OF THE STATE ENGINEER OF THE STATE OF UTAH

REQUEST FOR ~~REINSTATEMENT AND~~ EXTENSION OF TIME
(Strike words not needed)
(Before Fourteen Years)

APPLICATION NO. 14066

~~STATE OF UTAH~~ City of Washington)
~~COUNTY OF~~ District of Columbia) ss

A. E. Demaray, being first duly sworn says that he is the ~~owner or the agent of the~~ owner of the above numbered Application; that he knows of his own knowledge that the construction of works as contemplated by the Application was actually commenced within 6 months after the date of approval of the Application, and that the work has since been prosecuted with diligence.

The nature, extent and approximate cost of construction work done to this date, together with a detailed statement of use to which the water has been put, is as follows: (Describe briefly the type and extent of construction, whether impounding or diversion dam, or diverting channels and give the cost of construction. Indicate what part of the water, if any, covered by this Application has been put to beneficial use, the number of acres irrigated, etc. Mere statement as to general character of works, costs and use will not answer,—give details sufficient for one to determine what has actually been done.)

The water system covered by Application No. 14066 was completed and the distribution reservoir was filled on May 12, 1947. Total appropriations of $5,184.57 were spent on thematerials and part of the labor for the project. Labor from a CCC camp and from permanent Park personnel were also employed at an indeterminate expense. The total estimated cost is $8,000.

The water system was used throughout the 1947 tourist season to serve all water needs of the public at theRainbow Point Area of Bryce Canyon National Park. Approximately 60% of the water covered by Application No. 14066 was used at the peak of the season. However, the public attendance is increasing, and should more than double in the next 10 years.

The nature, extent and estimated cost of construction remaining to be done to complete the work in accordance with the Application follows: (Describe with same details as required last above.)

No more construction is contemplated unless it becomes necessary to increase the capacity of the distribution reservoir to permit more complete use of the available water when maximum park attendance is reached.

(OVER)

Request is made for ~~reinstatement and~~ extension of time for filing
(Strike words not needed)
proof from March 10 , 1948 , to March 10 , 1958 . Reasons why extensions should be granted are: (Give reasons why the work could not be completed and the water put to beneficial use within the time heretofore allowed and why conditions now will permit the completion of the works and filing of proof within the time requested. Be specific in statement.)

It is essential to retain the right to the total available spring flow of about 0.01 sec. ft. until proof can be made of its full beneficial use, or until park attendance becomes static.

Affiant upon oath states that he or the owner of the Application, whom he represents, has a bona fide intention and the financial ability to complete the works and to apply the water to beneficial use as provided in the Application, within the period of extension requested. ~~A filing fee of $1.00 is tendered herewith.~~

(Sgd) A. E. Demaray
Associate Director, Applicant
National Park Service.
(If a corporation, specify the title of the officer making the affidavit and affix corporate seal)

Subscribed and sworn to before me this 1st day of March 1948
19

(Sgd) Lorin A. Davis
Notary Public.
My Commission Expires Nov. 14, 1951

NOT TO BE FILLED IN BY APPLICANT

Application No._____ Request due_____ Recd._____
Applicant_____ ~~Filing fee $1.00 Recd.~~_____ by____
Source_____ Receipt No._____
14 year period ends_____

Request for extension approved / rejected ; time for submitting proof is hereby extended from_____ to and including_____

_____ _____
Date STATE ENGINEER

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
WASHINGTON 25, D. C.

ADDRESS ONLY
THE DIRECTOR, NATIONAL PARK SERVICE

March 1, 1948.

Mr. Ed. H. Watson,
State Engineer,
403 State Capitol,
Salt Lake City, Utah.

My dear Mr. Watson:

Proof or extension of time is needed by March 10 under Application No. 14066, for the appropriation of waters of Yovimpa Spring in Bryce Canyon National Park. As stated in a letter of January 21 from A. van V. Dunn, Chief, Water Resources Branch of this Service, the water system has been completed and used to the extent of present water demands but not to the full extent of the water claim, capacity of the system, or ultimate water demand.

We had hoped that, in reply to Mr. Dunn's letter, you would advise us of procedure followed by municipalities which have similar problems, when they obtain permits, and build water systems in anticipation of growth suggested by trends of increasing population. Since we lack such precedents, we are submitting proof of construction and water use to the extent of the 1947 demand. The proof map, our drawing No. NP-BC-6952, is being mailed in a separate roll.

However, we do not wish to have the quantity of water limited by the 1947 beneficial use. Therefore, we also enclose an application for an extension of time in which to make beneficial use of all water covered by the application and permit. If the nature of the water use will permit you to issue the license for the full 0.01 second foot of water on the present proof, the request for extension of time may be disregarded.

A purchase order and a voucher are also enclosed to cover the charges for examining the map and filing the proof. We gather that there is no longer a fee for filing a request for extension of time. Please sign and return the voucher for payment, with a supplemental statement of modified charges based on the action you propose to take.

Sincerely yours,

(SGD) A. E. DEMARAY

A. E. Demaray,
Associate Director.

AvVD:sh.

Enclosure 131.

cc: Regional Director, Region Three (2).
Mr. Dunn.

Proof of Appropriation
on
Application No. 14066

Proof of Appropriation on Water for Domestic and Municipal Purposes

STATE OF UTAH

Do not fill out this blank until you have read carefully the pamphlet on "Rules and Regulations" and Instructions in the body and on the back hereof.

1. *The name of the appropriator is* United States of America, Department of the Interior, National Park Service
2. *The post-office address of the appropriator is* National Park Service, Washington 25, D. C.
3. *The quantity of water appropriated is* 0.01 *second-feet or* — *acre-feet*
4. *The water is used each year from* April 1 *to* October 31 *incl.,*
   (See paragraph 4 under "Rules and Regulations" on page 4 hereof) (Month) (Day) (Month) (Day)
   and stored each year (if stored) from only regulatory storage *to* — *incl.*
   (Month) (Day) (Month) (Day)
5. *The drainage area to which the direct source of supply belongs is* (Leave Blank)
6. *The direct source of supply is*† Spring area at Tovimpa Spring, (Name of stream or other source) *which is tributary to* Lower Podunk Creek, *tributary to*

†NOTE—If water is diverted from a well, an underground drain or a tunnel, the source should be designated as "Underground Water" in the first space and the remaining spaces should be left blank. If the source is a stream, a spring, a spring area, or a surface drain, so indicate in the first space, giving its name, if named, and in the remaining spaces designate the stream channels to which it is tributary, **even though the water may sink, evaporate, or be diverted before reaching said channels.** If water from a spring flows in a natural surface channel before being diverted, the direct source should be designated as a stream and not a spring.

7. *The point of diversion from ~~stream~~, spring, spring area, ~~drain, well (flowing or~~ pump); ~~tunnel~~, or* is in Kane *county, situated at a point** whence the NE corner of Sec. 4, T. 39 S., R. 4 W., SLM, bears S 49°01'34" E, 7231.62 feet, being the pump intake at 5,000 gallon collecting sump in spring area described hereafter with point of beginning at a point whence said NE corner of said Sec. 4 bears S 48°55'33" E 7328.70 feet.

(Strike words not needed) and

*NOTE—Give the location of the point at which the water is first diverted from its source or channel with reference to a United States survey corner or mineral monument. In case of storage on the natural channel of source of supply, describe the point of intersection of stream bed with the center line of impounding dam. If a spring area, describe the point at which water is collected and diverted therefrom, and under General Remarks give a description by metes and bounds of said area.

8. *The diverting and carrying works consist of* 4" farm tile and perforated pipe in gravel filled trenches across spring area, and 5,000 gallon collecting sump, whence water is pumped through 2" GI pipe to 5,000 gallon distribution reservoir.
9. *The length of the diverting channel, exclusive of laterals, is* 7,450 *feet*
10. *The top width of the diverting channel is (if a ditch)* *feet*
11. *The bottom width of the diverting channel is (if a ditch)* *feet*
12. *The depth of water in the diverting channel is (if a ditch)* *feet*
13. *The width of the diverting channel is (if a flume)* *feet*
14. *The depth of water in the diverting channel is (if a flume)* *feet*
15. *The diameter of the diverting channel is (if a pipe)* collecting line 4, and pump line 2 *inches*
16. *The grade of the diverting channel is* 7.1 *feet per thousand*
17. *The place where the water is used is* Rainbow Point parking and picnic area of Bryce Canyon National Park, in what would probably be, if surveyed, NE¼ Sec. 28, T. 38 S., R. 4 W., S.L.M.

NOTE—Give place of use by legal subdivisions of section, township, and range of United States land survey, also by name if use is in town or city. If equalizing or distributing reservoir is used, give location of point of diversion therefrom by reference to a United States survey corner or mineral monument.

18. *Construction of works was commenced** July 19 41, *and completed* October 19 46.
    *Date of first work subsequent to approval of Application. (See also the note under General Remarks.)
19. *Works were first used to convey water* May 12, 19 47.
20. *Water was measured by* Maurice Marshal, Lawrence Rose (Name of hydrographer) *Date* 5/12-8/24, 8/24-10/1 19 47
21. *Water was measured by ~~vessel, weir,~~ reservoir capacity, ~~or~~ by*‡ pump. (Strike words not needed) and

‡(Give sufficient data under General Remarks to enable State Engineer to check the water measurements. It is necessary that the results of a series of such measurements be given.)

GENERAL REMARKS

NOTE—Give detailed description of the diverting and carrying works, tracing the water from point of diversion to place of use; give length and dimensions of each type of diverting channel. If all works necessary to apply the water to use were constructed prior to the time of approval of the Application herein described, so indicate and give a history of the development work. Name other rights, if any, to which this water is supplemental; also, name other rights, if any, the owners of which use these same works as a means of diversion and conveyance. If other uses incidental to the principal use are included in this proof, give period and extent of such uses.

Water is collected in 4-inch vitrified tile laterals, in gravel filled trenches, in a spring area whose limits are described as beginning at a point in unsurveyed Section 32, T. 38 S., R. 4 W., S.L.M., whence the NE corner of Section 4, T. 39 S., R. 4 W., S.L.M., bears S. 48°55'33" E. 7328.7 feet, thence S. 80°47' E. 100 feet, thence S. 9°13 W. 300 feet, thence N. 80°47' W. 150 feet, thence N. 9°13' E. 300 feet, thence S. 80°47' E. 50 feet, to point of beginning.

Water is intercepted at springs by 4-inch vitrified tile in gravel filled trenches, and conveyed to a 5,000-gallon, concrete collecting sump. There are approximately 210 feet of collecting trench and pipe. The water is pumped from said collecting sump, to a 5,000-gallon, elevated, steel distribution reservoir through 7,450 feet of 2" GI pipe. The pump lift is 816 feet. The water is distributed from the elevated reservoir by a 1½" gravity pipe line, to a public comfort station, shelter cabin, and hydrants in the picnic area at Rainbow Point.

An appropriation of $5,000 was made available for the water system on July 1, 1941. Other funds for the comfort station were also provided on that date. Final surveys for the water system were made between September 5 and 10, 1941, and excavation was started in the spring area with CCC labor before September 30. The CCC stopped work on this project in November 1941 because of winter weather, and the camp was disbanded on March 15, 1942 because of the war. Materials were purchased, when available, between October 1941 and January 1947. Construction of the water system was prosecuted when labor was available until completed in October 1946. The water system was tested in May and placed in operation in June 1947.

The water was used by nearly all visitors to the Park, there being 40,358 in July and 39,473 in August 1947, or an average of approximately 1,287 per day with a peak of 2,321 on July 5, 1947. Beneficial water use averaged 0.003 sec. ft. with peaks of 0.006 sec. ft. during 1947, suggesting that about 25% of the visitors used the comfort station.

As shown in chart with letter of Jan. 21, 1948, from A. van V. Dunn, Chief, Water Division, the number of annual visitors increased more than 100% in the last seven years before the war, and is now approaching the prewar trend such that the number should double again during the next ten years.

There is a reasonable expectancy, therefore, that the 0.01 sec. ft. of water claimed under Permit No. 14066 will be fully and beneficially used within the next 10 or 15 years.

In the following table, the actual water use was measured by gauge on the reservoir, in June and July of 1947, and gasoline consumption was recorded throughout the pumping season. Sixty percent of park attendance and resulting average per capita water consumption are shown for informative purposes. The water pumped per gallon of gasoline, where shown in parentheses, is estimated from actual records for June and July.

	Gals. of Gasoline Used	Gals. of Water Per Gals. of Gas	Gals. of water Pumped	60% of Park Visitors	Average Daily Water Consumption in Gals. Per Capita
May	25 gals.	(1174)	(29,400)	7,420	3.96
June	23 "	1174	27,000	18,180	1.48
July	35 "	1486	52,000	24,200	2.15
Aug.	45 "	(1486)	(56,800)	23,700	2.40
Sept.	13 "	(1486)	(19,300)	12,600	1.53
	141 "		184,500	86,000	

The records for May do not indicate actual beneficial use because the pump was operated, in part, for tests, and to break it in. Not every visitor to the Park visits Rainbow Point. It is estimated that approximately 60% of the Park guests visit this area. The resulting average per capita water consumption is reasonable for the climate and type of facilities which have been provided.

As an additional exhibit, the accompanying chart shows the trend of annual Park attendance. The prewar trend was on a slope closely parallel to the annual national automobile registration. Since the per capita automobile registration is still below that of 1940 and 1941, there is every indication that the annual Park attendance will return to the prewar trend when the supply and demand for motor cars reach the prewar balance, and that Park attendance and water use will double by about 1955.

CERTIFICATE OF APPROPRIATOR

(Fill in blank spaces but do not sign until proof has been submitted to the State Engineer and accepted as sufficient.)

~~STATE OF UTAH~~, City of Washington,
~~COUNTY OF~~ District of Columbia, } ss.

I, A. E. Demaray, Associate Director, National Park Service, Department of the Interior, being first duly sworn, do hereby certify that I am the person, assignee, or the agent of the United States of America, who or which made an Application to appropriate water from spring area at Yovimpa Spring in Kane county for domestic and municipal purposes; that said Application is filed in the State Engineer's office as No. 14066; that the works necessary to accomplish the diversion and perfect the appropriation of water in accordance with the said Application have been completed; that the foregoing statement of facts is submitted in proof of the completion of said works and the appropriation of said water; that I made the said statement and that each and all of the items contained therein are true to the best of my knowledge and belief.

.....
Signature of Appropriator.

Subscribed and sworn to before me this .....*day of* ....., *19*.....
(Seal)
My commission expires ....., *19*..... .....
Notary Public.

CERTIFICATE OF DISINTERESTED WITNESSES

(One witness should be the engineer who prepared proof maps, etc. Fill in blank spaces but do not sign until proof has been submitted to the State Engineer and accepted by him as sufficient.)

STATE OF UTAH,
COUNTY OF ..... } ss.

..... *and* .....*having both been duly sworn, each for himself says that he is personally acquainted with the works constructed by*.....
.....
for the diversion and appropriation of water from.....
in.....*county for domestic and municipal purposes; that said works have been fully completed and used to the extent and in the manner particularly set forth in the foregoing statement of facts; that he has read said statement and that each and all of the items therein contained are true to the best of his knowledge and belief.*

.....
Signature of Witness.

.....
Signature of Witness.

Subscribed and sworn to before me this .....*day of* ....., *19*.....
(Seal)
My commission expires ....., *19*..... .....
Notary Public.

STATE ENGINEER'S ENDORSEMENTS

Dates

.....*Application received in State Engineer's office; Approved*.....
.....*Proof of Appropriation due in State Engineer's office.*
.....*Written proof and maps received in State Engineer's office by*.....
.....*Written proof and maps returned for correction by*.....
.....*Corrected written proof and maps resubmitted, received by*.....
.....
.....*Corrected written proof and maps examined and Certificate written by*.....
.....*Certificate of Appropriation issued (No*.....*)*
.....*Maps, profiles, and drawings filed in Book*.....*page*.....
.....*Fee for filing proof and maps $6.00, received by*.....*Receipt No*.....
.....*Fee for issuing Certificate $1.00, received by*.....*Receipt No*.....

This written proof and the maps, profiles, and drawings pertaining thereto are found to comply with the requirements of the Laws of Utah, and the same are hereby approved.

....., **19**..... .....
State Engineer.

Proof of Appropriation
on Application No.....

FEES REQUIRED BY LAW FOR STATE TREASURY

For examining and filing written proof.....$1.00
For examining and filing maps, profiles, and drawings.... 5.00
For issuing certificate of appropriation..... 1.00

Proof of Appropriation

RELATIVE TO

Application No._____

MADE BY

TO

Appropriate Water

FROM

FOR

Domestic and Municipal Purposes

RULES AND REGULATIONS

Each Proof shall consist of two parts: (a) a written proof and (b) a sheet or sheets of maps, profiles, and drawings. The maps must be prepared in accordance with Rules and Regulations published in pamphlet form by the State Engineer, a copy of which will be furnished upon request.

No Proof will be marked "received" until the statutory fees ($1 for the written proof and $5 for the maps) have been paid and the written proof, maps, profiles, and drawings submitted.

If there is insufficient information in the Proof to indicate that the water sought to be appropriated has been applied to beneficial use, as provided in the Application, the Proof will be returned to the applicant for the necessary corrections, additions, or deletions. These amendments must be made and the Proof returned to the office within the time allowed by the State Engineer in his letter returning the Proof.

Each written proof shall contain details of water measurements made to determine the quantity of water applied to beneficial use. Such details shall include a description of the method used in making the measurement, the date when made, the name of the person making the measurement, and sufficient information to enable the State Engineer to compute the quantity of water measured in each case. Where the source of supply is of a fluctuating nature, a series of measurements should be submitted to show the variation in flow and the period or periods during which it is available.

Water measurements may be made by vessel, weir, meter, rated flume, reservoir capacity curve or other accepted standard method of measurement; but not by floating chip or theoretical carrying capacity of conveying channel.

All ties to points of diversion, points of rediversion, points of return, points of beginning of descriptions of irrigated areas, etc., must be given with reference to a regularly established U. S. land corner or mineral monument if within a distance of six miles of either; otherwise to a permanent and prominent natural object.

When Proof is made under an Application to appropriate water for municipal purposes, Certificate will be granted for the quantity of water actually impounded if storage is involved or such quantity of water in direct flow as the constructed works will convey to the actual place of use; provided, the Proof shows conclusively that the water is available.

All maps must be submitted on sheets of tracing linen having dimensions of 24" x 30" and a margin of at least 1½" on all sides.

COPY

THE STATE OF UTAH

OFFICE OF STATE ENGINEER
SALT LAKE CITY

ED. H. WATSON
State Engineer

February 26, 1948

Mr. A. van V. Dunn,
Chief, Water Resources Branch,
National Park Service,
Washington, 25, D. C.

Dear Sir: Re: APPLICATION NO. 14066

This acknowledges receipt of your letter dated January 20, 1948, relative to proof of appropriation on the above-captioned application. You seem to be concerned about not having fully used the water from the source under this application, as provided in the application. Had you given us the maximum number of persons served at any one time we would have been able to judge whether or not you should file your proof of appropriation at this time.

In reviewing the application itself it is disclosed that it is made for domestic purposes. When applications are submitted for a specific purpose, water appropriated under them for incidental purposes is limited to an amount less than that for the primary purpose. It is noted in this instance that you provide under "Explanatory" that the water will be used in public comfort stations, a fire lookout station, fire guard's quarters, two 1½-in. fire hydrants, and to spigots and drinking fountains in camp grounds and picnic areas, the whole area of use being known as Rainbow Point, on the plateau in the W½ of Sec. 27 and E½ of Sec. 28, T38S R4W Salt Lake Meridian. In the last paragraph under "Explanatory" you limit the uses by the following statement: "The camp ground will have a capacity of 100 people; picnic facilities will be provided for 500 people if needed, and quarters will be provided for a caretaker and his family." The domestic purposes, which are in fact household purposes, would therefore be limited to the use in the fire guard's quarters and to the caretakers quarters, as provided in the application, the other uses being incidental. Although the uses for people served by picnic facilities provide for 500 people, it appears this would exceed the domestic uses. This application should have been filed for miscellaneous purposes, in which event there would not have been any specific major use, and it would then have been limited by the number of people served, being 500, and the uses in the public comfort stations, fire lookout station, fire guard's quarters, and the caretaker's residence.

Mr. A. van V. Dunn
National Park Service

February 26, 1948

It is quite possible that you have, since having filed this application, actually served 500 people or more at a given time, in which event there would be no object under any circumstances in delaying the time in making proof beyond the present, because of the limitation placed in the application. This use of water may not completely consume all of the water available from the source. Therefore, the application by reason of this fact could not cover all water, although there may be an intent to enlarge the use.

It is hoped that this explanation gives you the information which you desire. Should you desire to request extension of time it may be done by using the form enclosed for that purpose. The request must be received in this office on or before March 10, 1948, or the proof of appropriation must be submitted on or before said time, otherwise the application will lapse.

Yours very truly,

(Sgd) Ed. H. Watson

ED. H. WATSON
State Engineer

FWC/eb

Encl: Request for Ex. of Time

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
~~CHICAGO, ILLINOIS~~
Washington 25, D. C.

ADDRESS ONLY
THE DIRECTOR, NATIONAL PARK SERVICE

January 21, 1948.

Mr. Ed. H. Watson,
State Engineer,
Salt Lake City, Utah.

My dear Mr. Watson:

We completed construction of the Yovimpa Springs Water System at Bryce Canyon National Park under Water Right Permit No. 14066 during the early part of last May, and the water system was in use throughout the tourist season.

Under the terms of the permit we are supposed to submit proof by March 10, which includes plans of the system, and records by which to show that the full quantity of water has been used beneficially. We can supply the plans but the full water use has not been made.

The normal procedure seems to be to obtain an extension of time, but before requesting such action we should like to know whether there is any alternate procedure for this type of case, which is similar to that involved in the perfection of rights for a municipality.

The attached chart shows the annual public attendance at Bryce Canyon National Park since 1929 and the trend between 1936 and the beginning of the war. The Yovimpa Springs Water System is almost exclusively to provide water for the visitors at Rainbow Point, the northern terminus of the scenic road along the rim of the canyon. Therefore, the water use will continue to increase for an indefinite number of years, until either the full flow of the springs (about 0.01 sec. ft.) is reached, or until public attendance becomes stable at some proportion of the national population or at the capacity of the Park. The visitor capacity of the Park will depend, in part, on the capacities of roads, lodges and campgrounds; and in part on the number of people per acre who can be present at one time without detracting from the values for which the Park was established.

During the 130-day major tourist season of 1947 there were 131,000 visitors in the Park, and approximately 210,000 gallons of water were used at the public facilities at Rainbow Point. This gave an average daily water use of about 1,600 gallons, or 0.0025 second feet. On July 4 and 5, and some other limited periods, the attendance

FOR VICTORY
BUY
UNITED
STATES
WAR
BONDS
AND
STAMPS

was as much as 230% of the seasonal average, indicating that water consumption reached 0.0057 second foot on such days, or 57% of the rate of consumption authorized under Permit 14066.

The attached attendance records indicate that the Park attendance in 1947 was still somewhat below that of the prewar trend. In other studies we have determined that the trend of attendance at the national parks and monuments, as a whole, and at many of the individual areas, is parallel to the trend of annual national motor car registration. We also know that the per capita motor car registration is still below that of 1941. It follows that the attendance at Bryce Canyon National Park may readily return to the prewar trend in a few years, and should be of such magnitude as to create a water demand of the authorized 0.01 second foot on peak days by 1960. Thereafter, to handle any further water demands, it will be necessary to provide more regulatory storage to carry the spring flow of slack days over to those of peak demand.

The similarity between these problems and those of a city, have led me to wonder if it is necessary to obtain frequent extensions of time until the population (attendance in this case) reaches the magnitude for which the water claims and water system have been provided. In other words, is there some special form of license which may be obtained without waiting for ultimate proof of the beneficial use of the last authorized drop of water.

Sincerely yours,

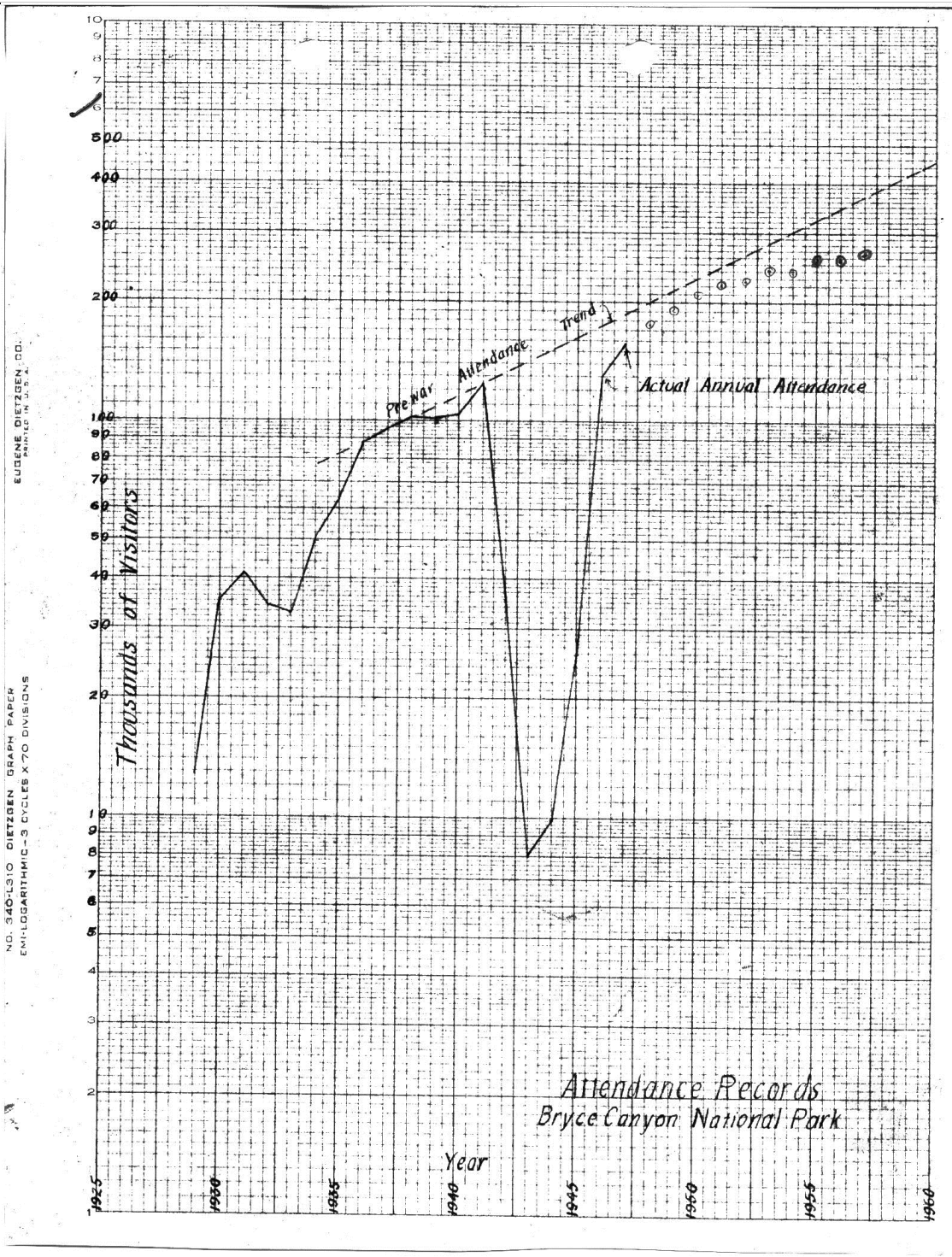
(SGD.) A. VAN V. DUNN

A. van V. Dunn,
Chief, Water Resources Branch.

AvVD:sh.
Enclosure 120.

cc: Regional Director, Region Three (2), with
2 copies of attendance chart.

00-00-0000: graph of attendance records for brca for 1925-1960



COPY

THE STATE OF UTAH
OFFICE OF STATE ENGINEER
SALT LAKE CITY
Jan. 7, 1948.

A. Van V. Dunn, Chief
Water Rights Division
U.S. Dept. of the Interior
National Park Service
Washington, 25, D. C.

PROOF DUE

Dear Sir: RE: APPLICATION NO. 14066.

Proof as contemplated by Application No. 14066 --- will be due March 10, 1948. Such proof, together with maps, profiles and drawings and the statutory filing fees, must be received in this office on or before that date. "Failure to make proof of appropriation or proof of change of water on or before the date set therefor, shall cause the Application to lapse." (Section 100-3-17 Utah Code Annotated 1943.) Blank forms upon which proof must be submitted and a copy of the Rules and Regulations will be sent upon request. Upon receipt of the proof it will receive an office examination after which a field inspection will follow.

An extension of time for filing proof will be granted only upon the filing of a written request for extension made in affidavit form, showing diligence or a reasonable cause for delay and containing the following information:

1. Whether or not actual construction work was begun within six months of the date of approval of Application and prosecuted until this time with diligence.
2. Amount of work done and approximate cost.
3. Amount of work remaining to be done and its estimated cost.
4. Reason for extension and time desired.

Yours very truly,

(Sgd) Ed. H. Watson.

STATE ENGINEER
403 STATE CAPITOL
SALT LAKE CITY, UTAH

ADDRESS ALL COMMUNICATIONS TO:

ba
enc.:fl-25

00-00-0000: memorandum: conditions at yovimpa springs

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
REGION THREE
SANTA FE, NEW MEXICO

December 15, 1947.

MEMORANDUM for the Director.

Enclosed are three copies of Superintendent Smith's memorandum of December 10, giving the findings regarding the conditions at Yovimpa Springs, Bryce Canyon National Park, which was requested on October 8 by Hydraulic Engineer Dunn. Also enclosed are the Proof of Application and a print of NP-EC-6952, with the pencil changes mentioned in Superintendent Smith's memorandum.

JAMES R. LASSITER

J. R. Lassiter,
Regional Engineer.

In duplicate.
Enclosure 2953161.

cc: Supt., Zion.

Zion and Bryce Canyon National Parks,
Springdale, Utah

December 10, 1947.

MEMORANDUM for the Regional Director, Region Three.

Reference is made to Regional Engineer Lassiter's memorandum of October 10 enclosing a memorandum of October 7 from Engineer Dunn regarding the perfection of water rights for Yovimpa Springs at Bryce Canyon National Park.

Following is the information requested:

The elevation of Spring "A" is 8323.30 feet,
The elevation of Spring "B" is 8316.78 feet,
Ground elevation at 74+49.49 is 9111.16 feet,
Elevation of the botton of the 5,000 gallon reservoir near comfort station is 9127 feet,
Elevation at top of collecting sump is 8315 feet.

The pump at Yovimpa Springs and the water system was first placed in operation on May 12 this year. This was more of a test for the system than an operation. On May 13 the pump was started at 10:00 a.m. It required about 4½ hours of pumping to fill the 5,000 gallon tank at the comfort station. This summer they pumped a tank of water every third day. That is, a tank filled on Monday would last until Wednesday morning. The tank was not as a rule dry on this day, but would have less than a foot of water in it. The sump was found to be full of water from the springs on every occasion until the last of August. At this time the springs seemed to be failing as the water was not rising but 3/4 in the tank. Of course during the last of August and first part of September we had high daily visitation and they were pumping more often. The weather turned cold and freezing the middle of September and to protect the system it was drained and closed for the winter on September 18.

The pump operator in June, July and August was permanent laborer Maurice Marshall. He resigned his position on August 24 and was replaced at this job from August 25 until the system was closed by per diem laborer Lawrence Rose.

The record of amount of water pumped can best be obtained from the gasoline record for the operation of the pump.

May they used	25	gallons of gas		4	qts. of oil.
June " "	23	" " "		6	" " "
July " "	35	" " "		4	" " "
August" "	45	" " "		10	" " "
September "	13	" " "		11	" " "
Total	141	gallons of gas		33	qts. of oil

An accurate record of the operation was kept in June and July. During June the pump was operated 23 hours, it consumed 23 gallons of gas and they pumped 27,000 gallons of water. During July the pump was operated 51 hours, it consumed only 35 gallons of gasoline and they pumped 52,000 gallons of water. Averaging the two months it would appear that it took 1.189 gallons of gasoline per hour of operation. They would pump 897.73 gallon of water per gallon of gasoline or 1067.57 gallons of water per hour of operation. As they actually consumed 141 gallon of gas in 130 days it can be figured that they pumped about 126,580 gallon of water.

During this 130 day period we had 131,000 visitors. This last fravel year we had a total visitation of 159,043 people. Not all of the 131,000 people visited Rainbow Point but we believe 60% or 78,600 did.

The heaviest daily travel this year was between July 1 and 8. The records for these days are:

July 1	792 people	July 5	2321 people
July 2	1087 people	July 6	1679 people
July 3	1333 people	July 7	1024 people
July 4	2179 people	July 8	1254 people

Other examples of travel this year are:

July 16	1305 people	July 24	1217 people
July 17	1214 people	July 25	1238 people
July 18	1025 people	July 26	1554 people
July 19	1403 people	July 27	1399 people
July 20	1466 people	July 28	1107 people
July 21	1144 people	July 29	831 people
July 22	1288 people	July 30	1063 people
July 23	1244 people	July 31	1055 people

The biggest day this year was July 5.

On two difference occasions a flush valve remained open overnight and drained the tank. The Labor Day week-end required a pumping on August 31 and again late in the afternoon of September 1. Some 4300 people registered at the park entrance these two days.

Chief Ranger Fagergren measured the flow of water from the overflow pipe of the sump tank on July 10 with a one gallon can. It averaged 9.5 seconds to fill the can. This is about 6.315 gallons per minute or 9,093 gallons of water per day. This is less than measured at other times but we know the water flow of all springs in this vicinity have been less with the drought of the past three years.

We can give only approximate numbers of people who remain in the park. On Sunday, August 31 the night before Labor Day every accommodation in the area was taken which, with the residents, would be a total of between 550 and 600 people or about 25% of the total people registered into the park that day.

The pipe used in the collecting trenches was all 4" vitrified tile spaced between the ends.

The draft of the proof of application and the map to accompany it have been examined and correction noted in pencil. They are being returned herewith for your comments and forwarding to the Director's Office.

(SGD) CHAS. J. SMITH

Chas. J. Smith,
Superintendent.

In triplicate.

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
CHICAGO, ILLINOIS

ADDRESS ONLY
THE DIRECTOR, NATIONAL PARK SERVICE

October 7, 1947.

MEMORANDUM for the Regional Director, Region Three.

The enclosed draft of Proof and File Map, in duplicate, for perfection of rights under permit No. 14066, for Yovimpa Spring at Bryce Canyon National Park, need certain refinements for which your help is requested. Please review them for possible errors. The elevations along the collecting system at the springs, for instance, were scaled by Mr. Selkirk before Mr. Lasuiter's memorandum of September 3 was received, and the profile was plotted. Since Mr. Lasuiter stated that his elevations were also, in part, the result of scaling, we have made only an approximate reconciliation. Unless you object, we prefer to use the values shown because they are close enough and eliminate the need for erasures on the drawing NP-BC-6952.

In the narrative proof it is necessary to state how the water was measured and to give sufficient records to substantiate full diversion. To complete these records, please send us the daily hours of beginning and ending of the pumping for one or two weeks during peak attendance and water use. Also give the name of the pump operator and the approximate quantity of water in the elevated reservoir at the beginning and end of each day's pump. (We propose to indicate the pump operator as hydrographer in question 24.) If pumping was stopped because the collecting reservoir was emptied, on any day, and the elevated reservoir was not filled at that time because of heavy water consumption, that information should also be supplied. If spring flow was measured during the period of records supplied, we should also know that. Otherwise, we shall compute the measured diversions on the basis of an available flow of between 5,170 and 6,463 gallons per day as previously determined.

If no actual records of pump operation were made, we should like the best estimates of pump schedule and extent of reservoir filling.

For the period of pump records or estimates, we should also like the daily records of park attendance. We want the number of people in the park and not just the new entrants each day.



The drawing now shows from your plan that 4" tile or perforated pipe was to be placed in the collecting trenches. In the proof map we should indicate which, or that the "or" is changed to "and". Please give us this information.

Please send your reply to Washington as we shall not complete the proof until after the move, now, even if the data are received.

(SGD.) A. VAN V. DUNN

Chief, Water Division.

Enclosure 951.

In duplicate.

cc: Mr. Dunn.

AvVD/lh

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
REGION THREE
SANTA FE, NEW MEXICO

September 3, 1947.

MEMORANDUM for the Director.

Rererence is made to Mr. Dunn's memorandum to you of August 9, relative to his request for data regarding Yovimpa Water System at Bryce Canyon National Park.

Elevations of the water system survey as shown on plans NP-BC-6312 and NP-BC-6314 were taken from a BM location 9105 as shown on plan NP-BC-4999. It is felt that the following elevations are correct to within a foot as we have had to interpret the elevations from the above numbered plans. Note books for the survey are at Zion National Park.

Elevation of the springs	8327	feet
" " " collecting sump (bottom)	8302	"
" " " pump	8309	"
" " " ground at reservoir	9108	"
" " " " " comfort station	9106	"
" " " bottom of 5000 gal. reservoir	9125	"

A vicinity map printed from plan NP-BC-4999 is attached to the returned plan NP-BC-6952. Also shown in pencil on your plan are the interpreted elevations. Aplan of the constructed 5000 gallon reservoir is also being sent you. We believe that this plan will give you the desired information requested in the fifth paragraph of Mr. Dunn's memorandum.

J. R. Lassiter,
Regional Engineer.

In duplicate.
Enclosure 2976975.

cc: Supt., Zion.

08-30-1947: letter: re: extension granted application no. 14066; august 30, 1947

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
REGION THREE
SANTA FE, NEW MEXICO

September 3, 1947.

MEMORANDUM for the Director.

Rererence is made to Mr. Dunn's memorandum to you of August 9, relative to his request for data regarding Yovimpa Water System at Bryce Canyon National Park.

Elevations of the water system survey as shown on plans NP-BC-6312 and NP-BC-6314 were taken from a BM location 9105 as shown on plan NP-BC-4999. It is felt that the following elevations are correct to within a foot as we have had to interpret the elevations from the above numbered plans. Note books for the survey are at Zion National Park.

Elevation of the springs	8327	feet
" " " collecting sump (bottom)	8302	"
" " " pump	8309	"
" " " ground at reservoir	9108	"
" " " " " comfort station	9106	"
" " " bottom of 5000 gal. reservoir	9125	"

A vicinity map printed from plan NP-BC-4999 is attached to the returned plan NP-BC-6952. Also shown in pencil on your plan are the interpreted elevations. Aplan of the constructed 5000 gallon reservoir is also being sent you. We believe that this plan will give you the desired information requested in the fifth paragraph of Mr. Dunn's memorandum.

J. R. Lassiter,
Regional Engineer.

In duplicate.
Enclosure 2976975.

cc: Supt., Zion.

Form L25 3M 7-43

Carbon

IN THE OFFICE OF THE STATE ENGINEER OF THE STATE OF UTAH

REQUEST FOR ~~REINSTATEMENT AND~~ EXTENSION OF TIME
(Strike words not needed)
(Before Fourteen Years)

APPLICATION NO. 14066

STATE OF ~~UTAH~~ Washington }
COUNTY OF Pierce } ss

A. van W. Dunn, being first duly sworn says that he is the ~~owner or~~ the agent of the owner of the above numbered Application; that he knows of his own knowledge that the construction of works as contemplated by the Application was actually commenced within 6 months after the date of approval of the Application, and that the work has since been prosecuted with diligence.

The nature, extent and approximate cost of construction work done to this date, together with a detailed statement of use to which the water has been put, is as follows: (Describe briefly the type and extent of construction, whether impounding or diversion dam, or diverting channels and give the cost of construction. Indicate what part of the water, if any, covered by this Application has been put to beneficial use, the number of acres irrigated, etc. Mere statement as to general character of works, costs and use will not answer,—give details sufficient for one to determine what has actually been done.)

Have completed spring development, consisting of tile collecting lines, in gravel, at the springs, with discharge into a concrete collecting sump; a gasoline driven pump unit,; pump line to a distribution reservoir; a distribution system; and comfort station and hydrants for the use of the visiting public. The cost is approximately as estimated, with normal increases due to post-war increases in construction costs.

The nature, extent and estimated cost of construction remaining to be done to complete the work in accordance with the Application follows: (Describe with same details as required last above.)

The construction is complete

Request is made for ~~additional time~~ extension of time for filing
(Strike words not needed)
proof from September 10, 1947, to March 10, , 1948. Reasons why extensions should be granted are: (Give reasons why the work could not be completed and the water put to beneficial use within the time heretofore allowed and why conditions now will permit the completion of the works and filing of proof within the time requested. Be specific in statement.)

Information gained on my inspection trip, this summer indicates that minor changes have been made in the construction plans, and it is not practical to explain some of the details to my draftsman until my return from the current field trip, after Labor Day. The Department of the Interior is also in the middle of its plans to move its Chicago Office back to Washington shortly after October 1.

It is also believed that full use of the water is being made this summer, but complete seasonal reports will be available only after about mid-October. Since the water system was only completed this spring it will not be possible until after the close of the tourist season, on October 1, to determine whether the development is fully satisfactory, or should have further adjustments.

This extension, therefore, is requested only to permit final checks and complete the proof map.

PLEASE SEND REPLY TO: DIRECTOR, NATIONAL PARK SERVICE
MERCHANDISE MART
CHICAGO, 54, ILLINOIS

Affiant upon oath states that he or the owner of the Application, whom he represents, has a bona fide intention and the financial ability to complete the works and to apply the water to beneficial use as provided in the Application, within the period of extension requested. ~~A filing fee of $1.00 is tendered herewith.~~

A. van V. Dunn,
Chief, Water Division
National Park Service
Applicant

(If a corporation, specify the title of the officer making the affidavit and affix corporate seal)

Subscribed and sworn to before me this 15th day of August 19

UNITED STATES COMMISSIONER
Notary Public

NOT TO BE FILLED IN BY APPLICANT

Application No._____ Request due_____ Recd._____
Applicant_____ Filing fee ~~$1.00~~ Recd._____ by____
Source_____ Receipt No._____
14 year period ends_____

Request for extension approved / rejected ; time for submitting proof is hereby extended from_____ to and including_____

_____ Date

_____ STATE ENGINEER

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
CHICAGO, ILLINOIS

ADDRESS ONLY
THE DIRECTOR, NATIONAL PARK SERVICE

Berkeley,California,
August 9,1947

Memorandum for the Director:

I am enclosing one print of drawing NP-BC-6952, with minor notations of additions to be made by Mr Selkirk before the tracing is submitted in proof under water right application No. 14066, for the Yovimpa Water System at Bryce Canyon National Park.Mr Selkirk advises by memorandum of August 1 that he has now found some other maps of the system which seem to give a better lay-out.In my pencil notes I have indicated that the numbers of the drawings which have been used, should be listed on the tracing. By copy of this memorandum, being sent to Region Three with the extra prints of the drawing, I am requesting that you be advised if the alignment and section ties are correct as shown, or what alternate plans should be used for corrections.

It would also be desirable to show the relative elevations of the springs, the pump, and the collecting sump, either on the existing profile, or or on a larger scale profile. This imformation is apparently lacking on the maps you have been using, and should be provided by the Region if possible, either from surveys or as estimated by someone familiar with the installation.

By copy of this memorandum,it is also requested that the Region return one copy of the prints with the outline of the picnic area sketched in, if such an area has been developed. However, this imformation is desirable, but not essential. I understand, from Supt.Smith, that practically all Park visitors spend an average of about 1½ hours at the area. I do think we should show a vicinity map of the park, to illustrate that visitation as it will be described in the narrative proof.

I doubt if we need to show piping in comfort station, but since you have shown the plan of the building in large scale, I think a 3/4" pipe down the service corridor, with laterals to each fixture would be close to the truth.

I am surprised to find, if true, that the 5000 gallon reservoir is so close to the same elevation as the comfort station.I herewith request imformation from the Region as to whether the tank is elevated or under pressure, and should like a description of the material of construction and dimensions.

FOR VICTORY BUY UNITED STATES WAR BONDS AND STAMPS

From the catalogues sent by Mr Selkirk, which I am returning for use on my return, I think we should indicate a Bean Pump # 30 with 35 gpm capacity, driven by Wisconsin

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
CHICAGO, ILLINOIS

ADDRESS ONLY
THE DIRECTOR, NATIONAL PARK SERVICE

41 gas engine of 17 HP.

I have obtained forms to file a request for an extendion of time in which to file proof, and will do so since there is no longer any fee for such filing. However, I am defering the action until I reach another park with a commissioner since the request has to be attested. However, since there seems to be a plan to move to Washington this fall, I hope Mr Selkirk will be able to finish the map by the time of my return from this trip so that we can clear up the matter before the move.

A. van V. Dunn
Chief, Water Division

CC Reg Three



08-01-1947: memorandum: four prints of drawing no. np-bc-6952; august 01, 1947

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
CHICAGO, ILLINOIS

ADDRESS ONLY
THE DIRECTOR, NATIONAL PARK SERVICE

54

August 1, 1947.

MEMORANDUM to Mr. Dunn at Region Four Office.

Enclosed are four prints of drawing No. NP-BC-6952, Yovimpa Springs to Rainbow Point Water System, Bryce Canyon National Park, as requested in your memorandum of July 18.

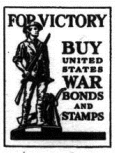
After getting this far with the drawing I find in the tracing file two drawings of Yovimpa Springs which show a better layout as far as alignment and ties are concerned. So I am prepared to do this over if you wish.

The following is a list of the things in doubt:

1. Location of faucet at comfort station.
2. Location of pipe line into comfort station.
3. No picnic area shown on master plan.
4. Enclosing data on pump and engine; check to see what you want shown on map.
5. I changed stationing to run from pump house to place of use.

William L. Selkirk
Engineering Draftsman.

Enclosure 834.



UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
CHICAGO, ILLINOIS

ADDRESS ONLY
THE DIRECTOR, NATIONAL PARK SERVICE

84

July 30, 1947.

MEMORANDUM for the Regional Director Region Three.

Data is being prepared to prove up on construction of the Yovimpa Spring Water System at Bryce Canyon, under Water Rights Permit No. 14066.

The description of the pump and engine unit are to be shown on the drawing, but the data is insufficient to properly describe the equipment.

The pump unit consists of a Model 30, Dean Royal, A-60665 pump, with 3 x 3½ bore and stroke, and is believed to have a capacity of 30 GPM; and a Wisconsin type VE 4l gasoline engine No. 193206- the power rating unknown.

It is requested that full pump and engine data be furnished this Office in order that the necessary requirements of the Permit can be completed.

(SGD) C. D. MONTEITH

Acting Assistant Chief of Development.

In duplicate.

TAW:cm

cc: Mr. Burney.
Mr. Woods.
Mr. Dunn.
Mr. Selkirk.



THE STATE OF UTAH
OFFICE OF STATE ENGINEER
SALT LAKE CITY

ED. H. WATSON
STATE ENGINEER

July 21, 1947

A. van V. Dunn, Chief
Water Division
National Park Service
601 Sheldon Building
San Francisco, 5, California

Dear Sir: Re: APPLICATION NO. 14066

In reply to your letter dated July 18 relative to the above-captioned application, kindly be advised that it is a requirement of this office that extensions of time in which to submit proof of appropriation are filed in affidavit form. Forms on which to submit this request are enclosed.

Kindly strike the word, "Reinstatement". It is necessary to submit only one completed request and no filing fee is necessary for filing. The request should be received in this office on or before September 10, 1947; otherwise, the application will lapse.

The rules and regulations relative to preparing proofs of appropriation are now in the hands of the printer. There are certain changes relative to these matters in the new rules; however, they are of minor character. A copy of the old pamphlet entitled, "Rules and Regulations for Submitting Proofs of Appropriation and Use of Water" is also enclosed.

Yours very truly,

Ed. H. Watson
STATE ENGINEER

FWC/nty
Enc: Pamphlet
Request for Ext. form.

Mr. Burney.

COPY

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE

Zion National Park

July 18, 1947.

MEMORANDUM for the Director.

After discussing matters with Superintendent Smith and Chief Ranger Fagergren, today, it is evident that we are ready to prove up on construction of the Yovimpa Spring Water System at Bryce Canyon, under Water Right Permit No. 14066. The proof must be in the hands of the State Engineer by September 10, if possible, but I am writing to him to see if we can wait a month more without the formality of an extension of time and payment of another $1.00 for such extension.

The proof map is now being prepared by Mr. Selkirk. Please have prints of the plan, and profile, sent to me at San Francisco so that I can suggest additions and answer any questions which may have come up in his work. The prints need not reach me there until the last few days of my stay. Hence, Mr. Selkirk should concentrate on those drawings until the last minute to get prints off to me there.

The plan should show alignment, details of spring collection, and pump installation, which I believe to be on the plan by which the system has been constructed. These plans have been followed fully. It should also show circles, to scale, with radius or diameter indicated, where pipe sizes change, the place of use, including location of comfort station, which has 6 outlets plus wash bowls, and there is also an outside faucet on the line for drinking purposes. Some road loop details should also be shown, as well as the proposed picnic area if the latter has been prepared for the master plan.

Mr. Selkirk is familiar with the system of showing ground and pipe line profile for Utah maps.

The pump unit consists of a Model 30, Bean Royal, A-80663 pump, with 3x3½ bore and stroke, and is believed to have a capacity of 30 gpm; and a Wisconsin type VE 41 gasoline engine No. 193286 - the power not being known here. The description should be shown on drawing, and I wonder if it can be obtained from catalogues in Mr. Webber's files, where I have indicated uncertainty or lack of local knowledge. If not, will Mr. Burney, or Mr. Woods, please request full data from Region Three.

The water use is not to go on map, but will be presented. The following is for such record:

Nearly all park visitors stop at the area, use toilets at least once, and drink at the fountains. 21,000 gallons were pumped in June, and the rate in July suggests a direct proportion between pumping and monthly park attendance. Approximately 5,000 gallons per month are also hauled away for use by road crews.

Please have copies of this memorandum distributed to Region Three, Zion Park, and the Water Division files.

I am returning notice of proof or extension due. Please have Miss Hicks hold it until I give other instructions. Other enclosures are my field notes. Please have Miss Hicks file them for the time being.

(Sgd) A. van V. Dunn,
Chief, Water Division.

AvVD:sh.

cc: Regional Director, Region Three (2).
Mr. Burney.
Mr. Monteith.

Form L21 5000 8-2-48

RECEIVED
Chief Clerk's Office
NATIONAL PARK SERVICE
1947 JUL 12 AM 9:59

THE STATE OF UTAH

OFFICE OF STATE ENGINEER

SALT LAKE CITY

July 3, 1947.

A. van V. Dunn, Chief
Water Rights Division
U.S. Dept. of the Interior
National Park Service, Chicago 54, Ill.

Dear Sirs: RE: APPLICATION NO. 14066.

Proof as contemplated by Application No. 14066 will be due September 10, 1947. . Such proof, together with maps, profiles and drawings and the statutory filing fees, must be received in this office on or before that date. "Failure to make proof of appropriation or proof of change of water on or before the date set therefor, shall cause the Application to lapse." (Section 100-3-17 Utah Code Annotated 1943.)

Blank forms upon which proof must be submitted and a copy of the Rules and Regulations will be sent upon request. Upon receipt of the proof it will receive an office examination after which a field inspection will follow.

PROOF DUE

An extension of time for filing proof will be granted only upon the filing of a written request for extension made in affidavit form, showing diligence or a reasonable cause for delay and containing the following information:

1. Whether or not actual construction work was begun within six months of the date of approval of Application and prosecuted until this time with diligence.
2. Amount of work done and approximate cost.
3. Amount of work remaining to be done and its estimated cost.
4. Reason for extension and time desired.

Filing fee of $1.00 must accompany each request.

Yours very truly,

Ed. N. Watson

ADDRESS ALL COMMUNICATIONS TO:
ba
enc.:fl-25

STATE ENGINEER
403 STATE CAPITOL
SALT LAKE CITY, UTAH

COPY

ZION AND BRYCE CANYON NATIONAL PARKS

Springdale, Utah.

January 16, 1947.

MEMORANDUM for the Regional Director, Region Three.

Reference is made to a copy of A. van V. Dunn's memorandum to you June 12, 1946, in regard to the Yovimpa Water Line at Bryce Canyon National Park.

The construction of this water system, including installation of the pump, has been completed. The last day's work on the project in October was done in a snow storm and no tests were made. Consequently, we have a couple of days work next spring to test the system and place it in operation. When this is done, we shall keep a record on the daily water use and then forward the Water Rights Division the information requested along with an "as constructed" map of the system, description of the pumping unit and distribution reservoir.

(Sgd.) Fred C. Fagergren
(Sgd.) Fred C. Fagergren,
Acting Superintendent.

In duplicate.
cc: Bryce Canyon.

copy

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
CHICAGO, ILLINOIS

ADDRESS ONLY
THE DIRECTOR, NATIONAL PARK SERVICE

June 12, 1946.

MEMORANDUM for the Regional Director, Region Three.

It is noted by correspondence of June 10 that the unexpended balance of funds allotted for construction of the Birch Creek water system extension has been transferred for completion of the Yovimpa Springs water system at Bryce Canyon National Park. If the sum proves to be sufficient for completion, we can prove up on construction, and possibly on full use of the water, by this fall. To do so, we shall need a map of the system as constructed (indicate changes on prints of drawing NP-BC-5312), and description of pump unit and distribution reservoir. We shall also need a record of the water use which can be obtained by records of pumping, and the approximate daily public use of Rainbow Point to show need.

The water right calls for only 0.01 second-foot, or 6,465 gallons per day. A toilet flushes with at least 5 gallons of water. On this basis, full use of the water will require close to 1,300 visitors a day or some uses other than at the comfort station. For these reasons, there should be some special observation of daily use to determine a per capita need.

(Sgd.) A. VAN V. DUNN

AvVD:sh.

Chief, Water Rights Division.

In duplicate.



C O P Y

THE STATE OF UTAH

OFFICE OF STATE ENGINEER

SALT LAKE CITY

ED. H. WATSON
State Engineer

October 11, 1945

Mr. A. Van V. Dunn
Chief, Water Rights Division
U. S. Dept. of the Interior
National Park Service
Chicago, Ill.

Dear Sir: RE: APPLICATION NO. 14066

Reference is made to your letter dated October 4, 1945, requesting that you be furnished a copy of the Notice to Water Users concerning Application No. 14066, and evidence that the notice was published in accordance with the Utah Water Laws.

Enclosed is one proof of Notice to Water Users, which was published in the Kane County Standard, Kanab, Utah, commencing March 6 and ending April 3, 1941. Affidavit of publication with copy of the notice attached was submitted to this office April 8, 1941, attesting to the fact that the Notice to Water Users was published in five consecutive weeks, commencing March 6 and ending April 3, 1941. Accompanying the Affidavit of publication was receipted bill in the amount of $15.00 to cover the cost of publishing the above referred to notice. I trust this is the information you desire.

Your invoices dated September 24, 1945, are returned herewith, since there is no charge for the above information.

Yours very truly,

(Sgd) Ed. H. Watson

Ed. H. Watson
STATE ENGINEER.

RER/ig
Enc: Invoices and
Copy of Notice to Water Users.

Ans. 10/4/45.

THE STATE OF UTAH
OFFICE OF STATE ENGINEER
SALT LAKE CITY 1, UTAH

ED. H. WATSON
STATE ENGINEER

October 1, 1945

Mr. A. Van V. Dunn
Chief, Water Rights Division
Department of the Interior
National Park Service
Chicago 54, Ill

Dear Sir: RE: APPLICATIONS NOS. 14066, 13209 and 13619

This acknowledges receipt of your letter dated Sept. 24, 1945, relating the above captioned applications.

It is not clear as to what you require, whether it is a copy of the advertising or a certified copy of the applications to appropriate. The first paragraph indicates that it might be a copy of the advertising, whereas, the second paragraph when referring to costs, indicate that you desire copies of the applications.

Kindly advise definitely what is requested making reference to this letter. The vouchers are being retained in this office pending a reply from you.

Yours very truly,

Ed. H. Watson

Ed. H. Watson
STATE ENGINEER.

FWC/ig

C O P Y

THE STATE OF UTAH
Office of State Engineer
Salt Lake City

Sept. 5, 1945

Mr. A. van V. Dunn
Chief, Water Rights Division
U.S.Department of the Interior
National Park Service, Chicago 54, Ill.

Dear Sir: REL: EXT. GRANTED APPLICATION NO. 14066.

This will acknowledge receipt of your request of Aug. 30, 1945, for Extension of Time in which to submit Proof of Appropriation or Proof of Change contemplated by Application No. 14066 , together with filing fee of $1.00.

E X T E N S I O N G R A N T E D

The matter has been considered and the time for submitting proof has been extended from September 10, 1945, to September 10, 1947, inclusive.

Yours very truly,

le (Sgd.) Ed. H. Watson

ADDRESS ALL COMMUNICATIONS TO: STATE ENGINEER
403 STATE CAPITOL
SALT LAKE CITY, UTAH

00-00-0000: letter: re: application no. 14066

WR File

THE STATE OF UTAH
OFFICE OF STATE ENGINEER
SALT LAKE CITY 1, UTAH

ED. H. WATSON
STATE ENGINEER

BRANCH OF ENGINEERING
NATIONAL PARK SERVICE
SEP 4 1945

Taylor
Durney
Meiteith
Preece
Webber
Rittase
Metcalf
Gwynne
Mercer
Genther
Dunn
Dunn
Engr. File
Answered

September 1, 1945

Bryce Canyon-
Yoominpa Springs

Mr. A. Van V. Dunn,
Chief, Water Rights Division
U.S. Dept. of the Interior
National Park Service
Chicago 54, Ill.

Dear Sir: RE: APPLICATION NO. 14066

Returned herewith is your Voucher Order No. 70-D in the amount of $1.00, which was submitted for filing extension of time.

Sec. 100-2-14, Utah Code Annotated, 1943, as amended, eliminates the necessity of submitting a filing fee of $1.00 for miscellaneous papers. The last paragraph of the section provides as follows: "The United States of America shall not be required to pay any fees or charges provided by title 100-Utah Code Annotated, 1943, relating to water and irrigation except costs of publication of notices".

Yours very truly,

Ed. H. Watson
STATE ENGINEER.

RER/ig
Enc: Voucher Order No. 70-D

August 24, 1945.

Mr. Ed. H. Watson,
State Engineer,
Salt Lake City, Utah.

My dear Mr. Watson:

We enclose an application for an extension of time in which to complete the construction of the Yovimpa Springs Water System at Bryce Canyon National Park, together with a voucher for $1.00 to cover the fee for filing that application. Please sign the voucher at the point designated by pencilled cross and return for payment.

Sincerely yours,

(SGD.) A. VAN V. DUNN

AvVD:sh.

A. van V. Dunn,
Chief, Water Rights Division.

Enclosure 291.
cc: Regional Director, Region Three, with 2 copies
of application.

Standard Form No. 1034 a—Rev.
Form approved by
Comptroller General, U. S.
May 26, 1933
(Gen. Reg. No. 51, Supp. No. 7)

PUBLIC VOUCHER FOR PURCHASES AND SERVICES OTHER THAN PERSONAL

D. O. Vou. No. _____
Bu. Vou. No. _____

GENERAL ACCOUNTING OFFICE PREAUDIT
Certified for payment in the sum of $_____
Comptroller General of the United States
By _____

U. S. Interior, National Park Service
(Department, bureau, or establishment)
Voucher prepared at Chicago 54, Illinois
(Give place and date)
THE UNITED STATES, Dr.,
To State Engineer, State of Utah
(Payee)
Address Salt Lake City, Utah.
Payee's Account No. _____

PAID BY
(For use of Paying Office)

No. and Date of Order	Date of Delivery or Service	Articles or Services (Enter description, item number of contract or general supply schedule, and other information deemed necessary) Terms ____% Discount Cash ____ days	Quantity	UNIT PRICE Cost	UNIT PRICE Per	AMOUNT Dollars	AMOUNT Cts.
		Brought forward from continuation sheet(s)					
8/24/45		Fee for filing "Request for Extension of Time" prescribed by Title 100, Chapter 2, Section 14 of the Utah Code Annotated, 1943, in connection with the perfection of a water right for Bryce Canyon National Park, under Application and Permit No. 14066.				1	00

Shipped from _____ to _____ Weight _____ Government B/L No. _____ Total _____

I certify that the above bill is correct and just; that payment therefor has not been received; and that except as otherwise noted all of the articles, materials, and supplies furnished under purchase order No. _____, if unmanufactured articles, materials, and supplies, have been mined or produced in the United States, and if manufactured articles, materials, and supplies, they have been manufactured in the United States substantially all from articles, materials, or supplies mined, produced, or manufactured, as the case may be, in the United States; and that State or local sales taxes are not included in the amounts billed.

State Engineer, State of Utah.
(Memorandum—Do not sign)

*Payee _____
(This certificate is not required when a like certificate is made by payee on attached bill or bills)
Per _____ Title _____

(Payee must NOT use this space)
Differences _____
Account verified; correct for _____
(Signature or initials) _____

Contract No. _____ Date _____ Req. No. _____ Date _____ Invoice Rec'd _____

Pursuant to authority vested in me, I certify that the above articles were received in good condition, after due inspection, acceptance, and delivery prior to payment as required by law, or the services were performed as stated; that they were procured under the contract numbered above or the unnumbered contract attached hereto, or that they were procured without written contract, in open market, and with or without advertising, under the circumstances stated in No. _____ of "Method of or Absence of Advertising" shown on reverse hereof, and were necessary for the public service; and that the prices charged are just and reasonable and in accordance with the agreement.

†Approved for $_____ (Memorandum—Do not sign) †_____

Title _____

ACCOUNTING CLASSIFICATION (for completion by Administrative Office)

Appropriation, limitation, or project symbol	Appropriation title	Limit'n or Proj't *Amount*	Appropriation *Amount*

Allotment symbol	Amount	Encumbrance liquidated	COST ACCOUNT Symbol	COST ACCOUNT Amount	OBJECT OF EXPENDITURE Symbol	OBJECT OF EXPENDITURE Amount

Paid by { Check No. _____ dated _____, 19____, for $_____ } on Treasurer of the United States in favor of payee named above.
{ Cash, $_____, on _____, 19____, *Payee _____ }

(Sign original only)
Per _____
Title _____

* When a voucher is signed or receipted in the name of a company or corporation, the name of the person writing the company or corporate name, as well as the capacity in which he signs, must appear. For example: "John Doe Company, per John Smith, Secretary", or "Treasurer", as the case may be.
† If the ability to certify and authority to approve are combined in one person, one signature only is necessary; otherwise the approving officer will sign in the blank space below "Approved for $_____", and over his official title.

U. S. GOVERNMENT PRINTING OFFICE 10—1751a

For Signature of Government Inspector Only

The articles on this voucher were received in good condition and are of quality equal to the requirements of the specification or contracts.

Title _____

METHOD OF OR ABSENCE OF ADVERTISING

(Sec. 3709 of the Revised Statutes)

1. After advertising in newspapers.

2. (a) After advertising by circular letters sent to _____ dealers.

   (b) And by notices posted in public places.

   (If notices were not posted in addition to advertising by circular letters sent to dealers, explanation of such omission must be made. The notation on the certificate on the face of the voucher must be "2(a)(b)" or "2(a)", depending on whether or not notices were posted.)

3. Without advertising, under an exigency of the service which existed prior to the order and would not admit of the delay incident to advertising.

4. Without advertising in accordance with _____

5. Without advertising, it being impracticable to secure competition because of _____

_____

_____

_____

_____

(Here state in detail the nature of the exigency or circumstances under which the securing of competition was impracticable under 3 and 4)

NOTE.—The above form "Method of or Absence of Advertising" is to be used when purchases are made or services secured under proper authority without written agreement in any form. In case of a written agreement (formal contract, proposal, and acceptance, or less formal agreement) Standard Form No. 1036—Revised should be used for abstracting the method of or absence of advertising and award of contract. (See General Regulations No. 51, Supplement No. 6, General Accounting Office, Aug. 20, 1930.)

Certificate No. 2 – (To be used on the purchase of coal where the Bituminous Coal Act does not apply and where Standard Form No. 43 is used; also for payment under any other contract providing for reduction in wage rates.)

I certify that the United States received the benefit of reduction, if any, in the wage rate(s) in accordance with the stipulations under the contract.

NAME _____

Memorandum – Do not sign

TITLE _____

Certificate No. 3 – (To be used where the Walsh-Healey Act applies, and in the purchase of coal whether or not the Bituminous Coal Act applies).

I certify that the stipulations required by law and/or under contract, etc., with respect to wages, rights, and hours of work of employees have been complied with.

NAME _____

Memorandum – Do not sign

TITLE _____

Certificate No. 4 – (To be used when the purchase involves a price reduction based upon a decline in market prices).

I certify that the United States received the benefit of decline, if any, in the market price(s) in accordance with the stipulations under the contract.

NAME _____

Memorandum – Do not sign

TITLE _____

Certificate No. 5 – (To be used where the Bituminous Coal Act does not apply to the purchase of coal and where Standard Form No. 43 is used).

I certify that the United States received the benefit of decrease(s), if any, in freight rates in accordance with the stipulations under the contract.

NAME _____

Memorandum – Do not sign

TITLE _____

Certificate No. 6 – (To be used where the purchase involves a price based on posted prices as for gasoline, fuel oil, etc.).

I certify that tank-wagon (or barge, service station, etc.) price, at date and point of delivery, is as stated herein.

NAME _____

Memorandum – Do not sign

TITLE _____

Certificate No. 7 – (Is to be formulated by the Government Certifying Officer to cover purchases under contracts providing for a temperature adjustment basis of the quantity of fuel oil or gasoline, etc. purchased).

Certificate No. 8 – (To be used where telephone, telegraph and metered services (such as electric current or gas) are furnished).

I certify that the above bill is correct and just; that payment therefor has not been received; that the rates charged were in effect at the time the services were rendered; and that such rates are not in excess of those charged the general public for similar services.

NAME _____

Memorandum – Do not sign

TITLE _____

U. S. GOVERNMENT PRINTING OFFICE 16—18910 ▲

Form L25 3M 7-43

IN THE OFFICE OF THE STATE ENGINEER OF THE STATE OF UTAH

REQUEST FOR ~~REINSTATEMENT AND~~ EXTENSION OF TIME
(Strike words not needed)
(Before Fourteen Years)

APPLICATION NO. 14066

STATE OF ~~UTAH~~ ILLINOIS)
COUNTY OF COOK) ss

A. van V. Dunn, being first duly sworn says that he is the ~~owner or agent~~ agent of the owner of the above numbered Application; that he knows of his own knowledge that the construction of works as contemplated by the Application was actually commenced within 6 months after the date of approval of the Application, and that the work has since been prosecuted with diligence.

The nature, extent and approximate cost of construction work done to this date, together with a detailed statement of use to which the water has been put, is as follows: **(Describe briefly the type and extent of construction, whether impounding or diversion dam, or diverting channels and give the cost of construction. Indicate what part of the water, if any, covered by this Application has been put to beneficial use, the number of acres irrigated, etc. Mere statement as to general character of works, costs and use will not answer,—give details sufficient for one to determine what has actually been done.)**

In addition to the work reported in a similar request for an extension of time dated the 7th day of September, 1943, certain abandoned CCC Camp structures have been razed at a cost of $25 to provide lumber to continue construction.

The nature, extent and estimated cost of construction remaining to be done to complete the work in accordance with the Application follows: **(Describe with same details as required last above.)**

The additional work to be done is approximately as described in the aforesaid application of 1943 except that the future expenditures on the pump house can be reduced from $100 to $75 due to the salvage of lumber.

(OVER)

Request is made for ~~reinstatement and~~ extension of time for filing
(Strike words not needed)
proof from September 10 , 1945 , to September 10 , 1947 . Reasons why extensions should be granted are: (Give reasons why the work could not be completed and the water put to beneficial use within the time heretofore allowed and why conditions now will permit the completion of the works and filing of proof within the time requested. Be specific in statement.)

In the interest of the public good the United States has diverted all available labor and materials to the war effort. It has been necessary, therefore, to suspend construction of this project except to the extent mentioned. Work is scheduled for completion as soon as labor and materials are again available after the war.

Affiant upon oath states that he or the owner of the Application, whom he represents, has a bona fide intention and the financial ability to complete the works and to apply the water to beneficial use as provided in the Application, within the period of extension requested. A filing fee of $1.00 is tendered herewith.

United States of America,
Department of the ~~Interior~~, National Park Service.
By: A. Wauer Dam
Chief, Water Rights Division. Applicant
(If a corporation, specify the title of the officer making the affidavit and affix corporate seal)

Subscribed and sworn to before me this 23rd day of August, 19 45

C. A. Sandberg
Notary Public

My Commission expires Jan. 16th, 1947

NOT TO BE FILLED IN BY APPLICANT

Application No._____ Request due_____ Recd._____
Applicant_____ Filing fee $1.00 Recd._____ by____
Source_____ Receipt No._____
14 year period ends_____

Request for extension approved / rejected ; time for submitting proof is hereby extended from_____ to and including_____

_____ Date

_____ STATE ENGINEER

Form L21 5000 8-2-43

	SUPERINTENDENT
✓	ASS'T. SUPT.
✓	CHIEF RANGER
	CHIEF CLERK
	FILE

THE STATE OF UTAH
OFFICE OF STATE ENGINEER
SALT LAKE CITY

Paul R. Franke, Supt.
Zion and Bryce Canyon National Parks
Springdale, Utah.

July 6, 1945.

Dear Sir: RE: APPLICATION NO. 14066.

Proof as contemplated by Application No. 14066 will be due September 10, 1945. . Such proof, together with maps, profiles and drawings and the statutory filing fees, must be received in this office on or before that date. "Failure to make proof of appropriation or proof of change of water on or before the date set therefor, shall cause the Application to lapse." (Section 100-3-17 Utah Code Annotated 1943.)

Blank forms upon which proof must be submitted and a copy of the Rules and Regulations will be sent upon request. Upon receipt of the proof it will receive an office examination after which a field inspection will follow.

PROOF DUE

An extension of time for filing proof will be granted only upon the filing of a written request for extension made in affidavit form, showing diligence or a reasonable cause for delay and containing the following information:

1. Whether or not actual construction work was begun within six months of the date of approval of Application and prosecuted until this time with diligence.
2. Amount of work done and approximate cost.
3. Amount of work remaining to be done and its estimated cost.
4. Reason for extension and time desired.

~~Filing fee of $1.00 must accompany each request.~~

Yours very truly,

E. N. Watson

STATE ENGINEER
403 STATE CAPITOL
SALT LAKE CITY, UTAH

ba
ADDRESS ALL COMMUNICATIONS TO:
enc.: fl-25

07-10-1945: memorandum: water right application no. 14066; july 10, 1945

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
ZION AND BRYCE CANYON NATIONAL PARKS
SPRINGDALE, UTAH

NATIONAL PARK SERVICE RECEIVED JUL 16 1945 CHIEF CLERK'S OFFICE

Name	Date
Burns	6-27-46
JB	
Lunn	COPY 11/46

July 10, 1945.

MEMORANDUM for the Regional Director, Region Three.

Reference is made to Water Right Application #14066 with the State of Utah for Yovimpa Springs at Bryce Canyon National Park.

In accordance with recent instructions, we are forwarding the enclosed "Proof Due" notice and the form for Request for Extension of time through your office to the Director's Office for their handling. Since the last request for extension of time from September 10, 1943 to September 10, 1945 we have been able to do very little work on this final proof.

The cost to date as shown on our last request of $5127.70 can be increased only $25.00 or to $5152.70 as all we have done has been to tear down an old C.C.C. building and salvage the good lumber which we moved to the pump house site. When funds and manpower permit we will continue the construction of the pumphouse, $75.00; installation of the pump, $50; construction of tower and erection of tank on tower, $300; or a total of about $425.00 to complete the work.

(SGD) CHAS. J. SMITH

Chas. J. Smith,
Superintendent.

In duplicate.
Enclosure.

Mr. Burns, please handle this

FOR VICTORY BUY UNITED STATES SAVINGS BONDS AND STAMPS

(COPY)

THE STATE OF UTAH
Office of State Engineer
Salt Lake City

November 3, 1943

Mr. Paul R. Franke, Supt.
Zion and Bryce Canyon National Parks
Springdale, Utah.

REL: EXT. GRANTED APPLICATION NO. 14066

Dear Sir:

This will acknowledge receipt of your request of Oct. 18, 1943 for Extension of Time in which to submit Proof of Appropriation or Proof of Change contemplated by Application No. 14066, together with filing fee of $1.00.

The matter has been considered and the time for submitting proof has been extended from September 10, 1943 to September 10, 1945 inclusive.

Yours very truly,

Ed. H. Watson
STATE ENGINEER
403 State Capitol
Salt Lake City, Utah

enc. receipt # 08633

bw

E X T E N S I O N G R A N T E D

Copies mailed Director and Region Three 12/29/43

10-20-1943: official receipt; october 20, 1943

ORIGINAL - PATRON'S COPY

STATE OF UTAH

OFFICE OF STATE ENGINEER

SALT LAKE CITY

OFFICIAL *RECEIPT*

14960 Date Oct 20 1943

Mr. National Park Service

Address

NATURE OF SERVICE		FEE RECEIVED	
FILING APPLICATION	$		
APPROVING APPLICATION			
FILING REQUEST FOR EXTENSION		1	00
FILING REQUEST FOR REINSTATEMENT			
FILING NOTICE OF PROTEST			
FILING PROOF & MAPS			
FILING UNDERGROUND WATER CLAIM			
FILING WELL DRILLER'S REPORT			
BLUEPRINTS			
COPY			
ISSUING CERTIFICATE			
TOTAL	$	1	00

NOV 1943 RECEIVED 216 NATIONAL PARK

CASH ☐ MONEY ORDER ☐ CHECK ☑

Ed. W. Watson

STATE ENGINEER

By

08633

73894 BUSINESS UARCO SYSTEMS, OAKLAND PAT'D. NO. 1,534,478

09-20-1943: letter: re: application no. 14066; september 20, 1943

SEP 22 1943
9/23

THE STATE OF UTAH
OFFICE OF STATE ENGINEER
SALT LAKE CITY

ED. H. WATSON
STATE ENGINEER

September 20, 1943

Water Rights Section
National Park Service
601 Sheldon Building
San Francisco, California

Gentlemen: RE: APPLICATION NO. 14066

Returned herewith is voucher under date of August 16, 1943, covering the fee of $1.00 for filing an extension of time under Application No. 14066.

Please remit as soon as possible.

Yours very truly,

Ed. H. Watson
STATE ENGINEER

RER/pcr
Enc: Voucher

Sent to fiscal division for payment 9/23/43.

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
ZION AND BRYCE CANYON NATIONAL PARKS
SPRINGDALE, UTAH

SEP 10 1943
ROUTING | Date
9/10

September 7, 1943.

Bryce Canyon

MEMORANDUM for the Regional Director, Region Four.

Reference is made to Hydraulic Engineer A. van V. Dunn's memorandum of August 16 regarding Water Right Application No. 14066.

We have this day transmitted to the State Engineer a Request for Extension of Time, a copy of which accompanies this memorandum, and a voucher for $1.00 to cover the filing fee which will be signed and sent to your office for payment.

You will note that most of the construction on this water system has been completed and if funds are found, we plan to finish this project before the end of this fiscal year.

Chas. J. Smith,
Superintendent.

Enclosure 85

cc: Regional Director, Region Three.

In permits file



UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
ZION AND BRYCE CANYON NATIONAL PARKS
SPRINGDALE, UTAH

September 7, 1943.

Mr. Ed H. Watson, State Engineer,
403 State Capitol,
Salt Lake City, Utah.

Dear Mr. Watson:

Re: Application No. 14066

Enclosed herewith please find request for "Extension of Time" on Application No. 14066 and Public Voucher made out to you for $1.00 to cover the filing fee.

Please sign the voucher and forward to Water Rights Section, National Park Service, 601 Sheldon Building, San Francisco, California for payment.

Sincerely,

Chas. J. Smith,
Superintendent.

Enclosure 86

cc: Hydraulic Engineer Dunn
Regional Director, Region Three



DI-19
(Approved July 1942)
ENCLOSURE 85
DEPARTMENT OF THE INTERIOR
GPO 16—30424-1

TO THE STATE ENGINEER OF THE STATE OF UTAH

REQUEST FOR REINSTATEMENT AND EXTENSION OF TIME
(Strike words not needed)
(Before Fourteen Years)

APPLICATION NO. 14066

STATE OF UTAH Washington) ss
COUNTY OF ~~Charles J. Smith,~~) Superintendent of
Zion and Bryce Canyon National Parks, being first duly sworn says that he is the owner or the agent of the owner of the above numbered Application; that he knows of his own knowledge that the construction of works as contemplated by the Application was actually commenced within 6 months after the date of approval of the Application, and that the work has since been prosecuted with diligence.

The nature, extent and approximate cost of construction work done to this date, together with a detailed statement of use to which the water has been put, is as follows: (Describe briefly the type and extent of construction, whether impounding or diversion dam, or diverting channels and give the cost of construction. Indicate what part of the water, if any, covered by this Application has been put to beneficial use, the number of acres irrigated, etc. Mere statement as to general character of works, costs and use will not answer—give details sufficient for one to determine what has actually been done.)

collecting system with two concrete catch basins, 170' of 4" tile pipe; 650 gallon concrete sump (11'8"x11'8"x6.5'); 2" galvanized iron pipeline of 768' laid. Partially completed: pumphouse-floor 12'x10' with a base of 40"x70"x18" for the pump and engine has been made of concrete, a #30 Bean Royal Pump and a 16H.P. Wisconsin Engine have been purchased; 5850 gallon corrugated iron tank (10' diameter x 10' high) and the lumber and other materials for the construction of the tower for the tank have been purchased and are on the job site.

Cost to date:	Materials	$3627.62
	Labor	962.96
	Equipment and Team Rental	154.00
	Supervision	228.12
	Engineering (does not include preparation of plans and technical consultation.)	155.00
		$5127.70

The nature, extent and estimated cost of construction remaining to be done to complete the work in accordance with the Application follows: (Describe with same details as required last above.)

Installation and connecting of the pump and engine $50.00; completion of the pumphouse $100.00; construction of the tower and erecting the tank on the tower $300.00, a total of about $450.00

Copies mailed Director and Region Three 12/29/43.

(OVER)

Request is made for ~~reinstatement and~~ extension of time for filing
(Strike words not needed)
proof from September 10 , 1943 , to September 10 , 1945 . Reasons why extensions should be granted are: (Give reasons why the work could not be completed and the water put to beneficial use within the time heretofore allowed and why conditions now will permit the completion of the works and filing of proof within the time requested. Be specific in statement.)

The National Park Service personnel and funds have been drastically curtailed to a minimum skeleton staff for protection purposes and work was suspended this September till funds and manpower are made available to complete the construction.

Affiant upon oath states that he or the owner of the Application, whom he represents, has a bona fide intention and the financial ability to complete the works and to apply the water to beneficial use as provided in the Application, within the period of extension requested. A filing fee of $1.00 is tendered herewith.

Chas. J. Smith
Applicant
Supt., Bryce Canyon National Park
(If a corporation, specify the title of the officer making the affidavit and affix corporate seal)

Subscribed and sworn to before me this 7th day of September 19 43.

Notary Public

NOT TO BE FILLED IN BY APPLICANT

Application No._____ Request due_____Recd._____
Applicant_____ Filing fee $1.00 Recd._____by____
Source_____ Receipt No._____
14 year period ends_____

Request for extension approved / rejected ; time for submitting proof is hereby extended from_____to and including_____

Date

STATE ENGINEER

04-03-1941: notice to water users; april 03, 1941

NOTICE TO WATER USERS

The United States National Park Service, Springdale, Ut., has filed Application No. 14066 to appropriate 0.01 sec. ft. of water from a spring area at Yovimpa springs, tributary to Lower Podunk creek in Kane county. The boundaries of the spring area are as follows: Beg. at a point N. 47 deg. 6 min. W. 7678 ft. from the NE Cor. Sec. 4, T 39 S., R. 4 W., SLB&M and running thence S. 30 deg. 47 min. E. 175 ft., S. 9 deg. 13 min. W. 300 ft., N. 80 deg. 47 min. W. 225 ft., N. 9 deg. 13 min. E 300 ft. and S. 80 deg. 47 min. E. 50 ft. to beg. The water will be collected at the aforesaid point of beg., pumped through a pipe line to a 10,000 gal. redwood tank situated in unsurveyed NE 1/4 NE 1/4 Sec. 28, T 38 S., R. 4 W., SLB&M, and thence distributed by gravity and used for domestic and camping purposes at the Rainbow Point camp ground and picnic areas.

Protests resisting the granting of said Application, with reasons therefor, made in affidavit form, must be filed with T. H. Humpherys, State Engineer, 403 State Capitol, Salt Lake City, Utah, with one extra copy and $1.00 filing fee on or before May 4, 1941.

T. H. HUMPHERYS,
State Engineer.

First publication March 6, 1941
Last publication April 3, 1941

601 Sheldon Building

August 16, 1943.

MEMORANDUM for the Superintendent,
Zion National Park.

We enclose an application for an extension of time in which to complete the Yovimpa Springs Water System at Bryce Canyon under Water Right Application No. 14066; together with a voucher for $1.00 to cover the same.

We do not know what the estimated cost of the project is to be. We request that you deduct the price of the items listed as already purchased and insert the remainder of the estimated cost in the last paragraph. Then execute the application and forward it to the State Engineer, State Capitol, Salt Lake City, with the voucher.

In your letter of transmittal please ask the State Engineer to sign the voucher as indicated and return to us here in San Francisco for payment.

This application must be received by the State Engineer by September 10, 1943.

AvVD:SH
Enclosure 298.

A. van V. Dunn,
Hydraulic Engineer.

cc: Director.
Regional Director, Region Three.

P.S.— We enclose two extra copies of the application, one for your file and one to be completed like the one you submit and returned to us for our records.

FILE COPY

00-00-0000: letter: complete water systems under applications 13209, 13619 and 14066

Bryce Canyon
x Lincoln N.M.
x Archee N.M.

601 Sheldon Building

November 27, 1942.

State Engineer,

Salt Lake City, Utah.

Dear Sir:

Reference is made to your letter of November 18 with regard to extension of time in which to complete water systems under Applications 13209, 13619, and 14060. p. for 14066.

Since these must be signed by the various Superintendents in the forms that you use, they will be submitted separately. In drawing up the one for Application 13209, the only one needing immediate attention, we have requested an extension of time to 1955, or 13 of the allowable 14 years. We should like to explain, however, that we do not expect to use all of that time unless the war is that long. The object is merely to carry the project in a suspended status until 2 or 3 years after the war without having to make requests for further extensions.

In all formal applications of this type we need copies for five offices. You sent only three copies of form L25 2M 9-42. Therefore, please send us twelve more copies of the form and advise us if there is any charge.

Yours very truly,

A. van V. Dunn,
Hydraulic Engineer.

AvVD:SH

cc: Director.
Regional Director, Region Two.
Regional Director, Region Three.
Supt., Rocky Mt. Nat. Park.
Supt., Zion Nat. Park.
Supt., S.W.Nat. Mons.

FILE COPY

COPY

THE STATE OF UTAH

OFFICE OF STATE ENGINEER

SALT LAKE CITY

ED. H. WATSON
STATE ENGINEER

November 18, 1942

Bryce Canyon
X Arches Nat. Mon.
X Dinosaur

Mr. A. van V. Dunn
Hydraulic Engineer
U. S. Department of the Interior
San Francisco, California

Dear Sir: RE: APPLICATIONS NOS. 13209, 13619 AND 14066.

Reference is made to your letter requesting an extension of time under Applications Nos. 13209, 13619 and 14066. It will be necessary for you to file a formal request for extension of time for each application on the forms enclosed herewith for that purpose, and accompany each request with the statutory filing fee in the amount of $1.00.

Although proof as contemplated will not be due under Application No. 14066 until September 10, 1943, and under Application No. 13619 until December 15, 1943, you may request a two year extension of time under these applications at the same time you request extension under Application No. 13209, which must be submitted on or before December 25, 1942.

Yours very truly,

/s/ Ed H. Watson
A.

Ed. H. Watson
STATE ENGINEER

HER/per
Encls: Form L-25 (3)

Bryce Canyon
X Arches
X Dinosaur

601 Sheldon Building

October 17, 1942.

State Engineer,

Salt Lake City, Utah.

Dear Sir:

We have the following incomplete water rights in your State:

Application 12,309 for Dinosaur National Monument with proof due December 25, 1942.

Application 13,619 for Arches National Monument with proof due December 15, 1943.

Application 14,066 for Bryce Canyon National Park with proof due September 10, 1943.

Although only one proof is currently due, we should like to request extension of time until about two years after the war in all three cases.

Both during the pre-war defense of 1941 and this year the United States has had to keep peace-time activities at a minimum. It has also had the same difficulty in obtaining materials and labor which confront the rest of the national activity.

All CCC activities were terminated as of July 1, 1942, and many camps had been so depleted for the preceding year that only the most essential maintenance activities could be attempted. The appropriations and allotments for all but the most essential projects have been impounded or greatly reduced as a part of the federal war economy; and priorities on materials and labor have made it difficult to use what remain.

Furthermore, Park Service water consumption is a function of public attendance. There have been only about half as many visitors

FILE COPY

this year as last in most cases, so that even with completed systems no further proof of full beneficial use can be expected until peacetime conditions return.

We do have tentative plans for unusually heavy construction programs at the close of the war to help stabilize the economic situation and catch up with normal growth. However, due to the time probably needed to reconvert manufacturing plants, appropriate and release funds, and assemble labor crews, we feel that finished projects and full use cannot be expected during the first two years of such activity.

As proof of reasonable diligence in the past, we offer the following report on the present status of the aforesaid projects:

Application 12,309

This system is in operation, but further development is needed to increase the supply of water. More regulatory storage and distribution laterals are also needed. Work was stopped in May 1941 when the CCC camp was abandoned due to reduction of the general CCC program.

Application 13,619

See attached photostat of drawing NM-ARC-5312. The well and 20,000 gallon reservoir have been completed, and a temporary 2" pipe line and appurtenant works have been installed to provide essential immediate service, all being shown in red. The ultimate system is also shown. Diversion is by a 30 g.p.m. deep well pump driven by a gasoline engine. The 2" pipe was substituted for proposed 4" because of limitations on funds for materials for CCC projects at time of construction, and inability to obtain funds for construction by special appropriation. This system is now in operation and water is being used at the Custodian's residence and for general operating purposes.

Application 14,066

All materials and pump equipment have been obtained except the main order for 7000 feet of galvanized iron pipe. This pipe is on order, but delivery date is dependent on action by the WPB. A truck trail was constructed during the summer to permit construction. Construction will proceed when labor is available after receipt of the pipe.

You will note that reports for individual reservations show various stages of progress, but diligence is evident for the Park Service as a whole.

Yours very truly,

(SGD) A. VAN V. DUNN

A. van V. Dunn,
Hydraulic Engineer.

Enclosure 2122033.

cc: Director.
Regional Director, Region Two.
Regional Director, Region Three.
Supt., Rocky Mt. Nat. Park.
Supt., Zion Nat. Park.
Supt., S.W.Nat. Mons.

09-25-1942: memorandum: incomplete water rights application; september 25, 1942

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
ZION AND BRYCE CANYON NATIONAL PARKS
SPRINGDALE, UTAH

SEP 28 1942

ROUTING	Date
	9/28
	9/28
	10/14/42
FILE	

September 25, 1942

MEMORANDUM for Regional Director, Region Four:

Water Rights Division

Reference is made to your memorandum of September 18 concerning incomplete water rights application, Utah 14066, for the Yovimpa Springs water system at Bryce Canyon National Park.

For your information the following supplies and equipment are now on hand for this project:

100 bags	Cement
1	Corrugated metal galvanized tank with top, 10x10 ft., 16 gauge
	Plumbing fittings, reinforcing steel, tie wire, etc.
254 ft	Glazed vit. sewer tile, 4"
2	Glazed vit. sewer Ys, 45°
2	Strainers, 4"
75 lbs	Sewer joint compound, C.P.I.
1	No. 30 Bean Royal Special Pump, 2¼" bore, 2-3/4" stroke, capacity 15 GPM at 600 lb. pressure, mounted on steel frame and connected by a flexible coupling to one 4-cylinder model VE-4 16 HP Wisconsin engine, 3" bore, 3¼" stroke, 91.9 cu. in. displacement, air cooled enclosed power unit, 6 gal. gas tank, magneto, carburetor, governor with hand throttle control, oil bath, air cleaner, hand crank, 4 to 1 clutch reduction assembly, speed approximately 1650 RPM

This completes all deliveries except the 7000 feet of 2" galvanized pipe. Delivery of this pipe by the contractor will be delayed pending release by the W.P.B.

The Yovimpa Springs service truck trail has been improved this summer to permit transporting supplies and equipment to the job. We plan to proceed as men and funds are available, but completion will depend entirely upon the pipe delivery. Construction will conform to original design.

In view of the uncertainty of pipe delivery we concur in your recommendation to request a suspension of proof due to priorities and war conditions.

Paul R. Franke
Superintendent

CC - Region Three
Mr. Cope, Bryce

601 Sheldon Building

September 18, 1942.

MEMORANDUM for the Superintendent,
Zion National Park.

We have three incomplete water rights in Utah including Application 14066 for the Tovimpa Springs Water System at Bryce Canyon, upon which proof is due between now and the end of 1943. We are about to request a blanket suspension of proof or indefinite suspension of time in connection with all of these systems, claiming inability to complete or fully use because of priorities and other war conditions.

Before making this request, however, we should like to know whether any part of the Tovimpa Springs Water System has been constructed, and if so whether it is in use. If it is in use, please advise us if the original design was followed as to pipe sizes and reservoir, and also give the rating of the pump and motor at the springs.

(SGD.) A. VAN V. DUNN

AvVD:SH

Hydraulic Engineer.

AJ 9/18

FILE COPY

October 10, 1941.

MEMORANDUM for Superintendent Franke,
Zion National Park:

Reference is made to your memorandum of September 15 covering the Yovimpa Springs water system at Bryce Canyon National Park.

This information will be very important when a statement of progress is made. However, there seems no reason for making such a statement at the moment. We should probably make it a point to record something during the winter of 1942-43 if for any reason it seems doubtful that the water system will be completed by the specified September 10, 1943.

The most important need in proof of final construction is a map of the water system as constructed and showing the buildings to be served, the general plan of development of the campground area, the sizes and locations of pipes, and a profile of these pipe lines. The final proof will also give a complete description of the collecting system, pump unit, and distribution reservoir, and the map will be tied to a section corner.

In connection with the pump unit, one of our greatest difficulties is that there seems to be no record of the pump rating. We know that it is made by some firm, but do not know how many gallons it is supposed to deliver per minute, nor the head under which it is intended to work to deliver this quantity. For this reason, on the assumption that the pump unit will be purchased new including both motor and pump, I should like to request that we receive a copy of the purchase order or any other data that will provide the necessary information for my filing at the time when the items are purchased.

I list all of this information at this time because if the design is now being prepared prints could be supplied to us when complete and we could start the preparation of the necessary map at our convenience, adding to it and making minor modifications as construction progresses.

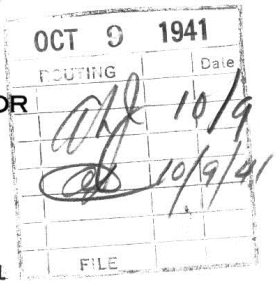
Hydraulic Engineer.

cc: Director.
Region III.

AvVD:SH

FILE COPY

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
ZION AND BRYCE CANYON NATIONAL PARKS
SPRINGDALE, UTAH



October 7, 1941

MEMORANDUM for Regional Director, R-IV
Water Rights Division

Reference is made to your memorandum of September 15 relative to application No. 14066, covering appropriation of 0.01 second feet of water from Yovimpa Springs for use at Bryce Canyon National Park.

Accompanied by Assistant Engineer Sam D. Hendricks and Assistant Superintendent Robert Holland, Superintendent Franke on October 3, 1941, called upon the State Engineer, State Capitol Building, Salt Lake City, Utah, for further information. The Park Service officials were informed that no further notice was necessary to the State Engineer except that final proof of construction must be filed prior to September 10, 1943. Applicants must protect their own interests as to beginning of construction against any filing protest by maintaining sufficient records to support claim for final proof. The State Engineer will accept and make part of the file any construction progress data furnished.

The following chronological data is furnished regarding application No. 14066:

1938	Survey and location made by National Park Service Engineers Fagergren and Hendricks.
May 15, 1941	Date of application No. 14066.
Nov. 15, 1941	Beginning of construction.
Sept. 10, 1943	Final "proof of construction" due to State Engineer.

Construction Progress

July 30, 1941	Assistant Engineer Hendricks, Ranger Fred Fagergren and Assistant Superintendent John M. Davis made reconnaissance survey of old "sheep wagon" road from Bryce Canyon Rim Road to Yovimpa Springs.
Aug. 8, 1941	Reconnaissance survey of service road, collecting area at Yovimpa Springs and supply pipeline location to Rainbow Point made by Superintendent Franke and District Ranger Cope.

Aug. 11, 1941	Transmittal of survey books No. 73 and 102 to Region III for plotting and design of system.
Sept 5-10,1941	Topography taken at Spring and reservoir site by Instrumentman T. C. Davis.
Sept. 26, 1941	Region III at work plotting and designing system as per their telegram of September 26 asking about size of the elevated tank and sump.
Oct. 2, 1941	Ranger Fred Fagergren ran grades with Abney hand level for possible use of "sheep wagon" trail as service road from Bryce Canyon Rim Road to Yovimpa Springs.

This data is furnished as proof of initiation of construction which your office may wish to revise in form to place with the State Engineer. Region III is being furnished with copy of this memorandum and asked to furnish any additional data which may have bearing on the construction progress.

Paul R. Franke
Superintendent

CC- Director
Region Three

September 15, 1941.

MEMORANDUM for Superintendent Franke,
Zion National Park:

Reference is made to State Engineer Humpherys' letter to you of May 15, 1941, transmitting approved Application No. 14066, covering appropriation of 0.01 sec. ft. of water from Yovimpa Springs for use at Bryce Canyon National Park.

You will note, by reference to the application, that construction must be begun within six months of the approval date, which was May 15, 1941, and that the expiration date for beginning of construction will therefore be November 15, 1941.

It is not clear to us, from the limited data in this office pertaining to procedure in the State of Utah, whether forms are forwarded by the State Engineer to the applicant for reporting on beginning of construction, or whether such construction is reported by letter to the State Engineer by the applicant. In any case, it is suggested that, if construction of the water system has been started, you so notify the State Engineer and ascertain if forms for such report are required, and if so request the same from him. If construction has not yet been started, and will not be before the expiration date, it is suggested that an extension of time for beginning of construction be requested from the State Engineer.

It will be appreciated if you will advise us as to your action in this matter.

Albert L. Johnson
Attorney.

~~xxxx~~SH

cc: Director
Regional Director, Region III

FILE COPY

COPY

THE STATE OF UTAH
OFFICE OF STATE ENGINEER
SALT LAKE CITY

May 15, 1941

APPLICATION APPROVED

Mr. Paul R. Franke, Superintendent
Zion and Bryce Canyon National Parks
Springdale, Utah

Dear Sir: RE: APPROVED APPLICATION NO. 14066

Enclosed find (1) Application No. 14066 which has been approved by me and (2) receipt for $2.50 paid by you as approval fee. The approved Application is your authority to proceed with actual construction work, which, under Sections 100-3-10 and 100-3-12, Revised Statutes of Utah, 1933 as amended, must be begun within six months of the approval date, and diligently prosecuted to completion, the water being put to beneficial use and proof of appropriation made to State Engineer on or before September 10, 1943.

Failure on your part to comply with these requirements may result in forfeiture of your Application.

Yours very truly,

/s/ T. H. Humpherys.

ADDRESS ALL COMMUNICATIONS TO:
ic
Encl. Approved Application
Receipt #4535

T. H. HUMPHERYS
STATE ENGINEER
403 STATE CAPITOL
SALT LAKE CITY, UTAH

Copies mailed Director & Reg. Director, Reg. III 7/15/41

File Copy.

Form 4-b—11-22-40—2M

Application No. 14066

Application to Appropriate Water for Domestic and Municipal Purposes

STATE OF UTAH

Do not fill out this blank until you have ready carefully and thoroughly understand the Rules and Regulations on the back hereof and all the notes in the body of it.

For the purpose of acquiring the right to use a portion of the unappropriated water of the State of Utah, for domestic and municipal purposes, Application is hereby made to the State Engineer, based upon the following showing of facts, submitted in accordance with the requirements of the Laws of Utah.

NOTE.—The information given in the following blanks should be free from explanatory matter, but when necessary a complete supplementary statement should be made on the following page under the heading "Explanatory."

1. *The name of the applicant is* The United States of America, Department of the Interior, National Park Service.
2. *The post-office address of the applicant is* c/o Superintendent, Zion and Bryce Canyon National Parks, Springdale, Utah.
3. *The quantity of water to be appropriated is* 0.01 *second-feet or* -- *acre-feet* (See note on following page)
4. *The water is to be used each year from* April (Month) 1 (Day) *to* October (Month) 31 (Day) *incl.,*
   and stored each year (if stored) from -- (Month) (Day) *to* -- (Month) (Day) *incl.*
5. *The drainage area to which the direct source of supply belongs is* Colorado River (Leave blank)
6. *The direct source of supply is*† Spring Area at Yovimpa Springs (Name of stream or other source)
   which is tributary to Lower Podunk Creek, *tributary to* Paria River

†NOTE.—Where water is to be diverted from a well or a tunnel, the source should be designated as "Underground Water" in the first space and the remaining spaces should be left blank. If the source is a stream, a spring, a spring area, or a drain, so indicate in the first space, giving its name, if named, and in the remaining spaces, designate the stream channels to which it is tributary, **even though the water may sink, evaporate, or be diverted before reaching said channels.** If water from a spring flows in a natural surface channel before being diverted, the direct source should be designated as a stream and not a spring.

7. *The point of diversion from* ~~stream, spring~~, *spring area,* ~~drain, well (flowing or pump), tunnel,~~ *or* -- *is in* Kane *county, situated at a point** N 47°06' W 7678 feet from Northeast Corner of Section 4, T. 39 S., R. 4 W., Salt Lake Meridian in the unsurveyed NE¼ NE¼ Section 32, T. 38 S., R. 4 W., Salt Lake Meridian.

(Strike words not needed)

*NOTE.—The point of diversion must be located definitely by course and distance or by rectangular distances, with reference to some United States land corner or United States mineral monument, if within a distance of six miles of either, or if a greater distance, to some prominent and permanent natural object. (Also see note at top of following page.)

No Application will be received in which the point of diversion is not described definitely. Any change made in this description after Application is received and before approved will bring down the priority of Application to the date when the amendment is made of record in the State Engineer's office.

8. *The diverting and carrying works will consist of* a pump at a concrete collecting sump at point of diversion from which 6-inch tile radiate to springs in said spring area, and galvanized iron pipe to distribution tank.
9. *The cross section of the diverting channel will be* ~~⊏⊐~~ ~~◡~~ ○ (Strike out ones not needed)
10. *The diverting works and diverting channel will be constructed of* ~~earth, wood~~, iron, concrete (Strike out words not needed)
11. *The length of the diverting channel, exclusive of laterals, will be* 7400 *feet*
12. *The top width of the diverting channel will be (if a ditch)* -- *feet*
13. *The bottom width of the diverting channel will be (if a ditch)* -- *feet*
14. *The depth of water in the diverting channel will be (if a ditch)* -- *feet*
15. *The width of the diverting channel will be (if a flume)* -- *feet*
16. *The depth of water in the diverting channel will be (if a flume)* -- *feet*
17. *The diameter of the diverting channel will be (if a pipe)* 2 *inches*
18. *The grade of the diverting channel will be* -- *feet per thousand*

Static Head 825 feet.

Copies mailed Director & Eng. Director, Eng. III 7/15/41

EXPLANATORY

NOTE.—The second sace provided in Paragraph 3 on page 1 must not be used except when storage is contemplated; in such case Paragraph 4 (first line) should indicate the time in each year during which the water will be released and used. The lands to be inundated by the reservoir must be described in the space below this note as nearly as may be and by government subdivisions if upon surveyed land, and the area of the reservoir when at full stage should be given in acres.

If the Reservoir is Located on the Channel of the Source from which the water is to be appropriated, it should be so stated in the space below, and—

1. The location of the center of the impounding dam should be described in Paragraph 7.
2. The point where the released storage will be rediverted from the natural stream should be described in the space below in accordance with the note under Paragraph 7.

When Water is Not Stored in the Natural Channel of the Source from which it is to be appropriated, it should be so stated in the space below, and—

1. The point of diversion from the supplying source should be described in Paragraph 7.
2. The center of the impounding dam and the point where the released storage will be rediverted from a natural channel should be described below in accordance with the note under Paragraph 7.

In all cases Paragraphs 8 to 18, inclusive, should describe the entire diverting works, exclusive of natural channels and laterals, even if already constructed in whole or in part.

If Application is Made for the Water of a Number of Springs, or other sources collected at a common point, said point should be described as the point of diversion in Paragraph 7 and the point of diversion from each source should also be described below, in accordance with the note in Paragraph 7. The quantity of water sought from each source should be indicated below, the total equaling the quantity specified in Paragraph 3. Where the source of supply is in reality a spring area, the point of diversion is the point where the water is collected; in such case the exterior boundary of the spring area must be described below by metes and bounds and located with reference to a point as outlined by the note under Paragraph 7.

The following additional facts are set forth in order to define more clearly the full purpose of the proposed appropriation:

The diversion is to be from a spring area in said NE¼ NE¼ of Section 32, described as follows: Beginning at said point of diversion described in paragraph 9, thence S 80°47' E 175 feet, thence S 9°13' W 300 feet, thence N 80°47' W 225 feet, thence N 9°13' E 300 feet, and thence S 80°47' E 50 feet to point of beginning. The collection of water will be by gravity lines of 6-inch drain tile connecting the main Yovimpa Springs located within the spring area as follows: Spring A, N 47°14' W 7621 feet from said NE corner of Section 4; Spring B, N 48°10' W 7586 feet from said section corner. The tile drains will discharge into a 5000 gallon concrete collecting sump at the point of diversion where a 2-stage centrifugal pump of 20 gpm capacity, driven by a 20 horse power gasoline engine will deliver it under 825 foot static head through said 7400 feet of 2-inch pipe to a 10,000 gallon redwood distribution tank in the unsurveyed NE¼ NE¼ Section 28, T. 38 S., R. 4 W., Salt Lake Meridian.

Distribution will be by gravity through a 400 foot 2-inch galvanized pipe to a museum in the NE¼ NE¼ said Section 28, and by laterals to public comfort stations, a fire lookout station and fire guard's quarters, two 1½-inch fire hydrants, and to spigots and drinking fountains in campground and picnic areas; the whole area of use being known as Rainbow Point, on the plateau in the W½ of Section 27 and E½ of Section 28, T. 38 S., R. 4 W., Salt Lake Meridian.

The campground will have a capacity of 100 people; picnic facilities will be provided for 500 people if needed, and quarters will be provided for a caretaker and his family.

THE UNITED STATES OF AMERICA
DEPARTMENT OF THE INTERIOR, NATIONAL PARK SERVICE

By: John M. Davis
Act. Superintendent, *Signature of Applicant**
Zion and Bryce Canyon National Parks.

*If applicant is a corporation or other organization, signature must be in the name of such corporation or organization by its proper officer. If a corporation, the affidavit below need not be filled in. If there are more than one applicant, a power of attorney, authorizing one to act for all should accompany the Application.

STATE OF UTAH,
County of Washington } ss.

On the 10th day of February, 1941, personally appeared before me, a notary public for the State of Utah, the above applicant who, on oath, declared that he is a citizen of the United States.

My commission expires 4/7/44
(SEAL)

Allen T. Strunk
Notary Public.

(This page is not to be filled in by applicant)

State Engineer's Endorsements

9:15 a.m.

1. Feb. 11, 1941 *Application received* ~~over counter~~ *by mail* *in State Engineer's office by* J.M.C.
2. *Priority of Application brought down to, on account of*
   Feb. 11, 1941 signed voucher returned 2-11-41
3. Feb. 26, 1941 *Fee for filing Application,* $2.50 *, received by* REC Rec # 4535 ACKNOWLEDGED
4. Feb. 14, 1944 *Application copied in book* D-17 *, page* 274 *, and indexed by* MC
5. Feb. 17, 1941 *Application platted by* JWF
6. Feb. 17, 1941 *Application examined by* JWF
7. *Application returned, with letter, to* *for correction*
8. *Corrected Application resubmitted* *over counter* / *by mail* *to State Engineer's office.*
9. *Fee for publishing notice requested*
   Feb. 11, 1941 signed voucher returned 2-11-41
10. Feb. 26, 1941 *Fee for publishing notice,* $15.00 *, received by* REC rec #2323 ACKNOWLEDGED
11. Feb. 17, 1941 *Application approved for advertisement by* JWF THH
12. Mar. 1, 1941 *Notice to water users prepared by* JWF
13. Mar. 7, 1941 *Publication began; was completed* Apr. 4, 1941
    Notice published in Kane County Standard, Kanab.
14. Mar. 7, 1941 *Proof slips checked by* JWF VM.
15. *Application protested by*
16. May 10, 1941 *Application designated for* *approval* / ~~*rejection*~~ *by* JWF THH
17. *Fee for approving Application requested*
    Feb. 11, 1941 signed voucher returned 2-11-41
18. Feb. 26, 1941 *Fee for approving Application,* $2.50*, received by* REC Rec #4535 ACKNOWLEDGED BY
19. May 15, 1941 *Application proofread by* JMC MS.
20. May 15, 1941 *Application* *approved* / ~~*rejected*~~ *and returned to applicant*

This Application is approved, subject to prior rights, if any, on the following conditions:

1. *Actual construction work shall begin within six months from date of approval.*
2. *Proof of Appropriation shall be submitted to the State Engineer's office by* Sept. 10, 1943.
3. intended to 9/10/45.

/s/ T. H. Humpherys
T. H. Humpherys, *State Engineer.*

21. *Time for making Proof of Appropriation extended to*
22. *Proof of Appropriation submitted.*
23. *Fee for filing Proof of Apppropriation,* $1.00*, received by*
24. *Fee for filing maps, profiles and drawings,* $5.00*, received by*
25. *Fee for issuing Certficate of Appropriation,* $1.00*, received by*
26. *Certificate of Appropriation, No.* *, issued*

I HEREBY CERTIFY that the foregoing is a true copy of the Application by to appropriate water and of the endorsements therein as shown by the records of my office on the date given below.

Salt Lake City, Utah, , 19

State Engineer.

Application No. 14066

NOTICE TO APPLICANT

The approval of this Application is not a Certificate of Appropriation. It is merely your authority to begin construction work, which must be commenced within six months from the date of approval of this Application and prosecuted diligently to completion. To secure a Certificate of Appropriation under this Application, Proof of Appropriation must be submitted within the time limit allowed by the State Engineer. The amount of water for which Certificate will be issued will depend upon the amount of water actually put to a beneficial use, not to exceed, however ,the amount of water specified in this Application. Proof of Appropriation must be made in accordance with the requirements of the law. For further information write the State Engineer.

(Not to be filled in by applicant)

No. 14066

APPLICATION

OF U.S.A. National Park Service

TO APPROPRIATE WATER FROM Spring Area at Yovimpa Spgs.

IN Kane County

FOR DOMESTIC AND MUNICIPAL PURPOSES

Rules and Regulations

All waters in this state, whether aoove or under the ground, are the property of the public, subject to all existing rights to the use thereof. No appropriation of the unappropriated public water may be made and no rights to the use thereof shall be recognized except Application for such appropriation first be made to the State Engineer.

The application must be signed by the applicant at the bottom of page 2 and the affidavit relating to citizenship, acknowledged before a Notary Public before the Application be received by the State Engineer.

An Application shall not be made for more than one purpose, except where the secondary purpose is a necessary incident to the primary one; as for instance, an Application for irrigation purposes may specify domestic purposes as a necessary incident.

An Application made to appropriate water for use in a single system with one or more points of diversion or sources of supply, or both, whether the water be commingled or not, may be accepted if made by one person or by a corporation, if and when the points of diversion be in close proximity or located in continguous sections by government survey; provided, however, that the quantity of water sought, also tie to section corner, be given for each point of diversion.

In case a material error is made in the description of the point of diversion, or in case any error is made the correction of which would enlarge the rights sought in an Application after its receipt in the State Engnieer's office, then such error may be corrected, but the priority date of the Application will be changed to the time when the corrected Application is resubmitted in the State Engineer's office; and, if the notice to water users has been published, the State Engineer may in his discretion cause a revised notice to be published at the expense of the applicant.

When there are two or more coapplicants the Application must be accompanied by a power of attorney, together with a fee of $1.00, authorizing one to act for all.

The applicant's permanent address should be given in Paragraph 2, and the State Engineer notified promptly of any change in address; otherwise applicant may lose rights initiated by Application by failing to receive notices sent from the State Engineer's office.

No Application or other paper pertaining to an Application will be marked received unless accompanied with the required filing fee.

Applications accepted and numbered by the State Engineer, when returned to applicant for correction or additions, must be amended with red ink. Erasures must not be made, but any matter may be eliminated by running a red line through it. Corrected Applications must be resubmitted to the State Engineer's office, within sixty days from the date of State Engineer's letter returning Application for correction; otherwise the Application will lapse.

Applicants will be informed by the State Engineer's office when cost of publishing notice of Application is due, and must advance cost within sixty days after date of notice, otherwise Application will lapse.

Fees Required by Law Payable to State Engineer

For filing Application to appropriate 10 second-feet of water or less and additionally, $1.00 for each second-foot above 10.	$2.50
For filing Application to appropriate 500 acre-feet of water or less and additionally, 2 cents for each acre-foot above 500.	2.50
When the filing fee on any Application to appropriate water shall exceed $1,000.00, the balance of the fee in excess of $1,000.00 may, at the option of the applicant, be paid at the time the Proof of Appropriation is submitted.	
For approving and recording completed Application	2.50
For examining and filing written Proof of Appropriation	1.00
For examining and filing map, profile and drawings that are part of the Proof of Appropriation	5.00
For issuing Certficate of Appropriation	1.00
For filing and examining paper of assignment	1.00
For filing protests against the granting of Application or answers thereto	1.00
For filing an affidavit or any other paper	1.00

NOTE.—Applicants will save time and expense by familiarizing themselves with the law before making Application.

February 5, 1941.

Memorandum for Superintendent Franke,
Bryce Canyon National Park:

Reference is made to Acting Superintendent Davis' memorandum of January 28, 1941, regarding the water right application for Yovimpa Springs at Bryce Canyon.

On the basis of the State Engineer's comments, we have prepared a new application raising the quantity of water from 0.008 second foot to 0.01 second foot, and changing the last day of use to October 31. Neither point is important, but raising the quantity of water may permit you to prove up on more if the development of the spring should produce it. In any case, the final right will only be for what is actually used -- perhaps less than 0.008 second foot.

Please destroy the original copy of this application which was returned to you by the State Engineer, or correct the quantity and last date of use to agree with those enclosed.

In reply to your last paragraph, we have the funds for said fees and have drawn the voucher for payment from our account.

Albert L. Johnson,
Associate Attorney.

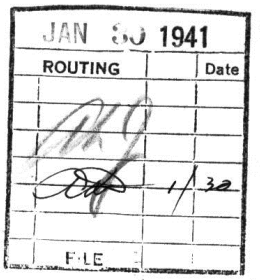
Encl. 2136604.

AvVD:SH

cc: Director.
Regional Director, Reg. III.

FILE COPY

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
ZION AND BRYCE CANYON NATIONAL PARKS
SPRINGDALE, UTAH



January 28, 1941 ans. 2/5/41 AvVD

Memorandum for Regional Director, R-IV:

Attention: Hydraulic Engineer A. Van V. Dunn

Reference is made to application by this office for the appropriation of the waters of Yovimpa Springs in Bryce Canyon National Park.

The completed application was forwarded to Utah State Engineer T. H. Humpherys by Superintendent Franke on January 8, and Mr. Humpherys returned it with a request for certain filing and advertising fees, along with other comment. Copy of Mr. Humpherys' letter is attached.

The volume of water for which application is being made, 0.008 sec. ft., is the capacity of Yovimpa Springs, and will meet both present and future requirements. To increase the volume covered by the application, as suggested by the State Engineer, would, in our opinion, accomplish no useful purpose.

The date restricting use of the water can be changed, as suggested, from November 1 to October 31 without making any material difference.

It is assumed that payment of all the various fees outlined in Mr. Humpherys' letter can legally be made when the application is submitted, and from funds allotted your office for this purpose. If this is the case, will you please fill in the correct appropriation number and title on the attached voucher and return it to this office for submission with the application for 0.008 second feet of water in Yovimpa Springs.

John M. Davis
Acting Superintendent

Incs.

CC to Director
Regional Director, R-III
Attorney Taylor

THE STATE OF UTAH
Office of State Engineer
Salt Lake City

January 21, 1941

Mr. Paul R. Franke, Supt.
Zion and Bryce Canyon National Parks
Springdale, Utah

Dear Sir: REL: UNNUMBERED APPLICATIONS

I have your letter of January 8, with which was submitted an Application to appropriate water from a spring area tributary to Lower Podunk Creek in Kane County. I interpret your letter as meaning that the Application was not submitted for filing but merely for review and suggestions. In fact it cannot be accepted for filing, since it was not accompanied by the statutory filing fee of $2.50 nor a government voucher in that amount. It is, therefore, returned herewith. Before resubmitting the Application I suggest that you consider the following amendments:

Paragraph 3. A flow of 0.008 sec. ft. of water is equivalent to approximately 3.6 gallons per minute. Is a continuous flow of this amount sufficient for the proposed uses? If not, the figure in paragraph 3 should be enlarged.

Paragraph 4. Since the period of use includes both dates shown in this paragraph, should not the last be changed to October 31?

Your Application will be accepted for filing upon being resubmitted with a fee or a government voucher in the amount of $2.50. Perhaps if a voucher is submitted you will desire also to include the cost of advertising ($15) and the statutory approval fee ($2.50). Of course no commitment as to the action of the State Engineer by way of approval or rejection of the Application can be made until after the protesting period has ended. However, in the event of rejection, the approval fee, if paid in advance, will be refunded.

Yours very truly,

(Signed) T. H. Humpherys
STATE ENGINEER

Standard Form No. 1034—Rev.
Form approved by
Comptroller General, U. S.
May 26, 1938
(Gen. Reg. No. 51, Supp. No. 7)

PUBLIC VOUCHER FOR PURCHASES AND SERVICES OTHER THAN PERSONAL

D. O. Vou. No. _____
Bu. Vou. No. _____

GENERAL ACCOUNTING OFFICE PREAUDIT
Certified for payment in the sum of $_____
Comptroller General of the United States
By _____

U. S. Interior - National Park Service
(Department, bureau, or establishment)

Voucher prepared at Zion National Park, Utah
(Give place and date)

THE UNITED STATES, Dr.,

To State Engineer
(Payee)

Address State Capitol, Salt Lake City, Utah

Payee's Account No. _____

PAID BY
(For use of Paying Office)

No. and Date of Order	Date of Delivery or Service	Articles or Services (Enter description, item number of contract or general supply schedule, and other information deemed necessary) Terms _____% Discount Cash _____ days	Quantity	UNIT PRICE Cost	UNIT PRICE Per	AMOUNT Dollars	AMOUNT .
		Brought forward from continuation sheet(s)					
1-8-41		Costs incident to application to appropriate water for domestic purposes from spring area tributary to Lower Podunk Creek, in Kane County, Utah, for proposed use at Rainbow Point, Bryce Canyon National Park, Utah:					
		Statutory filing fee	1			2	50
		Cost of advertising	1			15	00
		Statutory approval fee	1			2	50
		Total				20	00

Shipped from _____ to _____ Weight _____ Government B/L No. _____

I certify that the above bill is correct and just; that payment therefor has not been received; and that except as otherwise noted all of the articles, materials, and supplies furnished under purchase order No. _____, if unmanufactured articles, materials, and supplies have been mined or produced in the United States, and if manufactured articles, materials, and supplies, they have been manufactured in the United States substantially all from articles, materials, or supplies mined, produced, or manufactured, as the case may be, in the United States; and that State or local sales taxes are not included in the amounts billed.

*Payee State Engineer (Sign original only)
(This certificate not required when a like certificate is made by payee on attached bill or bills)

Per _____ Title _____

(Payee must NOT use this space)

Differences _____

Account verified; correct for 20 00

(Signature or initials) _____

Contract No. _____ Date _____ Req. No. _____ Date _____ Invoice Rec'd _____

Pursuant to authority vested in me, I certify that the above articles were received in good condition, after due inspection, acceptance, and delivery prior to payment as required by law, or the services were performed as stated; that they were procured under the contract numbered above or the unnumbered contract attached hereto, or that they were procured without written contract, in open market, and with or without advertising, under the circumstances stated in No. _____ of "Method of or Absence of Advertising" shown on reverse hereof, and were necessary for the public service; and that the prices charged are just and reasonable and in accordance with the agreement.

†Approved for $_____ (Sign original only) †_____

Title _____

ACCOUNTING CLASSIFICATION (For completion by Administrative Office)

Appropriation, limitation, or project symbol	Appropriation title	Limit'n or Proj't Amount	Appropriation Amount

Allotment symbol	Amount	Encumbrance liquidated	COST ACCOUNT Symbol	COST ACCOUNT Amount	OBJECT OF EXPENDITURE Symbol	OBJECT OF EXPENDITURE Amount

Paid by { Check No. _____ dated _____, 19___, for $_____ } on Treasurer of the United States in favor of payee named above.
{ Cash, $_____, on _____, 19___, Payee _____ (Sign original only)

* When a voucher is signed or receipted in the name of a company or corporation, the name of the person writing the company or corporate name, as well as the capacity in which he signs, must appear. For example: "John Doe Company, per John Smith, Secretary", or "Treasurer", as the case may be.
† If the ability to certify and authority to approve are combined in one person, one signature only is necessary; otherwise the approving officer will sign in the blank space below "Approved for $_____", and over his official title.

Per _____

Title _____

U. S. GOVERNMENT PRINTING OFFICE 10—1751

FOR SIGNATURE OF GOVERNMENT INSPECTOR ONLY.

The articles on this voucher were received in good condition and are of quality equal to the requirements of the specification or contracts.

Title .....

METHOD OF OR ABSENCE OF ADVERTISING

(Sec. 3709 of the Revised Statutes)

1. After advertising in newspapers.

2. (*a*) After advertising by circular letters sent to ---------- dealers.

(*b*) And by notices posted in public places.

(If notices were not posted in addition to advertising by circular letters sent to dealers, explanation of such omission must be made. The notation on the certificate on the face of the voucher must be "2(*a*)(*b*)" or "2(*a*)", depending on whether or not notices were posted.)

3. Without advertising, under an exigency of the service which existed prior to the order and would not admit of the delay incident to advertising.

4. Without advertising in accordance with ----------

5. Without advertising, it being impracticable to secure competition because of ----------

---

(Here state in detail the nature of the exigency or circumstances under which the securing of competition was impracticable under 3 and 4)

NOTE.—The above form "Method of or Absence of Advertising" is to be used when purchases are made or services secured under proper authority without written agreement in any form. In case of a written agreement (formal contract, proposal, and acceptance, or less formal agreement) Standard Form No. 1036—Revised should be used for abstracting the method of or absence of advertising and award of contract. (See General Regulations No. 51, Supplement No. 6, General Accounting Office, Aug. 20, 1930.) 10—1751

Certificate No. 1 - (To be used for all items of the General Schedules of Supplies except fuel oil, gasoline in Class 7, kerosene in Class 14, dry cleaning solvent in Class 51, electric service in Class 101, telephone service in Class 102 and gas service in Class 105).

I certify that the above bill is correct and just; that payment therefor has not been received; and that except as otherwise noted all of the articles, materials, and supplies furnished under this invoice, if unmanufactured articles, materials, and supplies, have been mined or produced in the United States, and if manufactured articles, materials, and supplies, they have been manufactured in the United States substantially all from articles, materials, or supplies mined, produced, or manufactured, as the case may be, in the United States; that state or local sales taxes are not included in the amounts billed: that the stipulations required by law and/or under contract, etc., with respect to wages, rights, and hours of work of employees have been complied with; and that the United States received the benefit of decline, if any, in the market price(s) in accordance with the stipulations under the contract.

NAME_____

TITLE_____

NOTE: In instances of fuel oil heated to a temperature as may be directed by the ordering activity or of fuel oil and gasoline in tank car and tank truck transport shipments, the vouchers or invoices should also contain information as to the temperatures involved in the adjustments of the quantities for which vouchers or invoices are submitted, although no special form of certification is prescribed.

Certificate No. 2 - (To be used where prices are based on the posted price, i. e. fuel oil and gasoline in Class 7, kerosene in Class 14 and dry cleaning solvent in Class 51).

I certify that the above bill is correct and just; that payment therefor has not been received; and that except as otherwise noted all of the articles, materials, and supplies furnished under this invoice, if unmanufactured articles, materials, and supplies, have been mined or produced in the United States, and if manufactured articles, materials, and supplies, they have been manufactured in the United States substantially all from articles, materials, or supplies, mined, produced, or manufactured, as the case may be, in the United States; that state or local sales taxes are not included in the amounts billed; that the stipulations required by law and/or under contract, etc., with respect to wages, rights, and hours of work of employees have been complied with; and that tank wagon (or barge, service station, etc.) price at date and point of delivery is as stated herein.

NAME_____

TITLE_____

Certificate No. 3 - (To be used for electric service in Class 101, telephone service in Class 102 and gas service in Class 105).

I certify that the above bill is correct and just; that payment therefor has not been received; that the rates charged were in effect at the time the services were rendered; and that such rates are not in excess of those charged the general public for similar services.

NAME_____

TITLE_____

Standard Form No. 1034 a—Rev.
Form approved by
Comptroller General, U. S.
May 26, 1938
(Gen. Reg. No. 51, Supp. No. 7)

PUBLIC VOUCHER FOR PURCHASES AND SERVICES OTHER THAN PERSONAL

D. O. Vou. No. _____
Bu. Vou. No. _____

GENERAL ACCOUNTING OFFICE PREAUDIT
Certified for payment in the sum of $_____
Comptroller General of the United States
By _____

U. S. Interior - National Park Service
(Department, bureau, or establishment)
Voucher prepared at Zion National Park, Utah
(Give place and date)
THE UNITED STATES, Dr.,
To State Engineer
(Payee)
Address State Capitol, Salt Lake City, Utah
Payee's Account No. _____

PAID BY
(For use of Paying Office)

No. and Date of Order	Date of Delivery or Service	Articles or Services (Enter description, items number of contract or general supply schedule, and other information deemed necessary) Terms ____% Discount Cash ____ days	Quantity	UNIT PRICE Cost	UNIT PRICE Per	AMOUNT Dollars	AMOUNT .
		Brought forward from continuation sheet(s)					
1-8-41		Costs incident to application to appropriate water for domestic purposes from spring area tributary to Lower Podunk Creek, in Kane County, Utah, for proposed use at Rainbow Point, Bryce Canyon National Park, Utah:					
		Statutory filing fee	1			2	50
		Cost of advertising	1			15	00
		Statutory approval fee	1			2	50
					Total	20	00

Shipped from _____ to _____ Weight _____ Government B/L No. _____

I certify that the above bill is correct and just; that payment therefor has not been received; and that except as otherwise noted all of the articles, materials, and supplies furnished under purchase order No. _____; if unmanufactured articles, materials, and supplies, have been mined or produced in the United States, and if manufactured articles, materials, and supplies, they have been manufactured in the United States substantially all from articles, materials, or supplies mined, produced, or manufactured, as the case may be, in the United States; and that State or local sales taxes are not included in the amounts billed.

*Payee State Engineer (Memorandum—Do not sign)
(This certificate not required when a like certificate is made by payee on attached bill or bills)

Per _____ Title _____

(Payee must NOT use this space)
Differences _____
Account verified; correct for 20 00
(Signature or initials) _____

Contract No. _____ Date _____ Req. No. _____ Date _____ Invoice Rec'd _____

Pursuant to authority vested in me, I certify that the above articles were received in good condition, after due inspection, acceptance, and delivery prior to payment as required by law, or the services were performed as stated; that they were procured under the contract numbered above or the unnumbered contract attached hereto, or that they were procured without written contract, in open market, and with or without advertising, under the circumstances stated in No. _____ of "Method of or Absence of Advertising" shown on reverse hereof, and were necessary for the public service; and that the prices charged are just and reasonable and in accordance with the agreement.

†Approved for $_____ (Memorandum—Do not sign)

†_____

Title _____

ACCOUNTING CLASSIFICATION (for completion by Administrative Office)

Appropriation, limitation, or project symbol	Appropriation title	Limit'n or Proj't Amount	Appropriation Amount

Allotment symbol	Amount	Encumbrance liquidated	COST ACCOUNT Symbol	COST ACCOUNT Amount	OBJECT OF EXPENDITURE Symbol	OBJECT OF EXPENDITURE Amount

Paid by { Check No. _____ dated _____, 19____, for $_____ } on Treasurer of the United States in favor of payee named above.
Cash, $_____, on _____, 19____, *Payee _____
(Sign original only)

Per _____

Title _____

* When a voucher is signed or receipted in the name of a company or corporation, the name of the person writing the company or corporate name, as well as the capacity in which he signs, must appear. For example: "John Doe Company, per John Smith, Secretary", or "Treasurer", as the case may be.
† If the ability to certify and authority to approve are combined in one person, one signature only is necessary; otherwise the approving officer will sign in the blank space below "Approved for $_____", and over his official title.

U. S. GOVERNMENT PRINTING OFFICE 10—1751a

FOR SIGNATURE OF GOVERNMENT INSPECTOR ONLY.

The articles on this voucher were received in good condition and are of quality equal to the requirements of the specification or contracts.

Title .....

METHOD OF OR ABSENCE OF ADVERTISING

(Sec. 3709 of the Revised Statutes)

1. After advertising in newspapers.

2. (*a*) After advertising by circular letters sent to ..... dealers.

(*b*) And by notices posted in public places.

(If notices were not posted in addition to advertising by circular letters sent to dealers, explanation of such omission must be made. The notation on the certificate on the face of the voucher must be "2(*a*)(*b*)" or "2(*a*)", depending on whether or not notices were posted.)

3. Without advertising, under an exigency of the service which existed prior to the order and would not admit of the delay incident to advertising.

4. Without advertising in accordance with .....

5. Without advertising, it being impracticable to secure competition because of .....

.....

.....

.....

.....

(Here state in detail the nature of the exigency or circumstances under which the securing of competition was impracticable under 3 and 4)

NOTE.—The above form "Method of or Absence of Advertising" is to be used when purchases are made or services secured under proper authority without written agreement in any form. In case of a written agreement (formal contract, proposal, and acceptance, or less formal agreement) Standard Form No. 1036—Revised should be used for abstracting the method of or absence of advertising and award of contract. (See General Regulations No. 51, Supplement No. 6, General Accounting Office, Aug. 20, 1930.) 10—1751

Certificate No. 1 - (To be used for all items of the General Schedules of Supplies except fuel oil, gasoline in Class 7, kerosene in Class 14, dry cleaning solvent in Class 51, electric service in Class 101, telephone service in Class 102 and gas service in Class 105).

I certify that the above bill is correct and just; that payment therefor has not been received; and that except as otherwise noted all of the articles, materials, and supplies furnished under this invoice, if unmanufactured articles, materials, and supplies, have been mined or produced in the United States, and if manufactured articles, materials, and supplies, they have been manufactured in the United States substantially all from articles, materials, or supplies mined, produced, or manufactured, as the case may be, in the United States; that state or local sales taxes are not included in the amounts billed: that the stipulations required by law and/or under contract, etc., with respect to wages, rights, and hours of work of employees have been complied with; and that the United States received the benefit of decline, if any, in the market price(s) in accordance with the stipulations under the contract.

Memorandum - Do not sign

NAME .....

TITLE .....

NOTE: In instances of fuel oil heated to a temperature as may be directed by the ordering activity or of fuel oil and gasoline in tank car and tank truck transport shipments, the vouchers or invoices should also contain information as to the temperatures involved in the adjustments of the quantities for which vouchers or invoices are submitted, although no special form of certification is prescribed.

Certificate No. 2 - (To be used where prices are based on the posted price, i. e. fuel oil and gasoline in Class 7, kerosene in Class 14 and dry cleaning solvent in Class 51).

I certify that the above bill is correct and just; that payment therefor has not been received; and that except as otherwise noted all of the articles, materials, and supplies furnished under this invoice, if unmanufactured articles, materials, and supplies, have been mined or produced in the United States, and if manufactured articles, materials, and supplies, they have been manufactured in the United States substantially all from articles, materials, or supplies, mined, produced, or manufactured, as the case may be, in the United States; that state or local sales taxes are not included in the amounts billed; that the stipulations required by law and/or under contract, etc., with respect to wages, rights, and hours of work of employees have been complied with; and that tank wagon (or barge, service station, etc.) price at date and point of delivery is as stated herein.

Memorandum - Do not sign

NAME .....

TITLE .....

Certificate No. 3 - (To be used for electric service in Class 101, telephone service in Class 102 and gas service in Class 105).

I certify that the above bill is correct and just; that payment therefor has not been received; that the rates charged were in effect at the time the services were rendered; and that such rates are not in excess of those charged the general public for similar services.

Memorandum - Do not sign

NAME .....

TITLE .....

Standard Form No. 1034 a—Rev.
Form approved by Comptroller General, U. S.
May 26, 1938
(Gen. Reg. No. 51, Supp. No. 7)

PUBLIC VOUCHER FOR PURCHASES AND SERVICES OTHER THAN PERSONAL

D. O. Vou. No. _____
Bu. Vou. No. _____

GENERAL ACCOUNTING OFFICE PREAUDIT
Certified for payment in the sum of $_____
Comptroller General of the United States
By _____

U. S. Interior - National Park Service
(Department, bureau, or establishment)

Voucher prepared at Zion National Park, Utah
(Give place and date)

THE UNITED STATES, Dr.,

To State Engineer
(Payee)

Address State Capitol, Salt Lake City, Utah

Payee's Account No. _____

PAID BY

(For use of Paying Office)

No. and Date of Order	Date of Delivery or Service	Articles or Services (Enter description, item number of contract or general supply schedule, and other information deemed necessary) Terms _____% Discount Cash _____ days	Quantity	UNIT PRICE Cost	UNIT PRICE Per	AMOUNT Dollars	AMOUNT .
		Brought forward from continuation sheet(s)					
1-8-41		Costs incident to application to appropriate water for domestic purposes from spring area tributary to Lower Podunk Creek, in Kane County, Utah, for proposed use at Rainbow Point, Bryce Canyon National Park, Utah:					
		Statutory filing fee	1			2	50
		Cost of advertising	1			15	00
		Statutory approval fee	1			2	50
					Total	20	00

Shipped from _____ to _____ Weight _____ Government B/L No. _____

I certify that the above bill is correct and just; that payment therefor has not been received; and that except as otherwise noted all of the articles, materials, and supplies furnished under purchase order No. _____, if unmanufactured articles, materials, and supplies, have been mined or produced in the United States, and if manufactured articles, materials, and supplies, they have been manufactured in the United States substantially all from articles, materials, or supplies mined, produced, or manufactured, as the case may be, in the United States; and that State or local sales taxes are not included in the amounts billed.

*Payee State Engineer (Memorandum—Do not sign)
(This certificate not required when a like certificate is made by payee on attached bill or bills)

Per _____ Title _____

(Payee must NOT use this space)

Differences _____

Account verified; correct for 20 00

(Signature or initials) _____

Contract No. _____ Date _____ Req. No. _____ Date _____ Invoice Rec'd _____

Pursuant to authority vested in me, I certify that the above articles were received in good condition, after due inspection, acceptance, and delivery prior to payment as required by law, or the services were performed as stated; that they were procured under the contract numbered above or the unnumbered contract attached hereto, or that they were procured without written contract, in open market, and with or without advertising, under the circumstances stated in No. _____ of "Method of or Absence of Advertising" shown on reverse hereof, and were necessary for the public service; and that the prices charged are just and reasonable and in accordance with the agreement.

†Approved for $_____ (Memorandum—Do not sign)

†_____

Title _____

ACCOUNTING CLASSIFICATION (for completion by Administrative Office)

Appropriation, limitation, or project symbol	Appropriation title	Limit'n or Proj't Amount	Appropriation Amount

Allotment symbol	Amount	Encumbrance liquidated	COST ACCOUNT Symbol	COST ACCOUNT Amount	OBJECT OF EXPENDITURE Symbol	OBJECT OF EXPENDITURE Amount

Paid by { Check No. _____ dated _____, 19____, for $_____ } on Treasurer of the United States in favor of payee named above.
{ Cash, $_____, on _____, 19____, *Payee _____ }

(Sign original only)

Per _____

Title _____

* When a voucher is signed or receipted in the name of a company or corporation, the name of the person writing the company or corporate name, as well as the capacity in which he signs, must appear. For example: "John Doe Company, per John Smith, Secretary", or "Treasurer", as the case may be.
† If the ability to certify and authority to approve are combined in one person, one signature only is necessary; otherwise the approving officer will sign in the blank space below "Approved for $_____", and over his official title.

U. S. GOVERNMENT PRINTING OFFICE 10—1751a

Standard Form No. 1034a—Rev.
Form approved by
Comptroller General, U. S.
May 26, 1938
(Gen. Reg. No. 51, Supp. No. 7)

PUBLIC VOUCHER FOR PURCHASES AND SERVICES OTHER THAN PERSONAL

D. O. Vou. No. _____
Bu. Vou. No. _____

GENERAL ACCOUNTING OFFICE PREAUDIT
Certified for payment in the sum of $_____
Comptroller General of the United States
By _____

U. S. Interior - National Park Service
(Department, bureau, or establishment)

Voucher prepared at Zion National Park, Utah
(Give place and date)

THE UNITED STATES, Dr.,

To State Engineer
(Payee)

Address State Capitol, Salt Lake City, Utah

Payee's Account No. _____

PAID BY

(For use of Paying Office)

No. and Date of Order	Date of Delivery or Service	Articles or Services (Enter description, item number of contract or general supply schedule, and other information deemed necessary) Terms _____% Discount Cash _____ days	Quantity	UNIT PRICE Cost	UNIT PRICE Per	AMOUNT Dollars
		Brought forward from continuation sheet(s)				
1-8-41		Costs incident to application to appropriate water for domestic purposes from spring area tributary to Lower Podunk Creek, in Kane County, Utah, for proposed use at Rainbow Point, Bryce Canyon National Park, Utah:				
		Statutory filing fee	1			2 50
		Cost of advertising	1			10 00
		Statutory approval fee	1			2 50
					Total	20 00

Shipped from _____ to _____ Weight _____ Government B/L No. _____

I certify that the above bill is correct and just; that payment therefor has not been received; and that except as otherwise noted all of the articles, materials, and supplies furnished under purchase order No. _____, if unmanufactured articles, materials, and supplies, have been mined or produced in the United States, and if manufactured articles, materials, and supplies, they have been manufactured in the United States substantially all from articles, materials, or supplies mined, produced, or manufactured, as the case may be, in the United States; and that State or local sales taxes are not included in the amounts billed.

*Payee State Engineer (Memorandum—Do not sign)
(This certificate not required when a like certificate is made by payee on attached bill or bills)

Per _____ Title _____

(Payee must NOT use this space)

Differences _____ 20 00

Account verified; correct for _____

(Signature or initials) _____

Contract No. _____ Date _____ Req. No. _____ Date _____ Invoice Rec'd _____

Pursuant to authority vested in me, I certify that the above articles were received in good condition, after due inspection, acceptance, and delivery prior to payment as required by law, or the services were performed as stated; that they were procured under the contract numbered above or the unnumbered contract attached hereto, or that they were procured without written contract, in open market, and with or without advertising, under the circumstances stated in No. _____ of "Method of or Absence of Advertising" shown on reverse hereof, and were necessary for the public service; and that the prices charged are just and reasonable and in accordance with the agreement.

†Approved for $_____ (Memorandum—Do not sign)

†_____

Title _____

ACCOUNTING CLASSIFICATION (for completion by Administrative Office)

Appropriation, limitation, or project symbol	Appropriation title	Limit'n or Proj't Amount	Appropriation Amount

Allotment symbol	Amount	Encumbrance liquidated	COST ACCOUNT Symbol	COST ACCOUNT Amount	OBJECT OF EXPENDITURE Symbol	OBJECT OF EXPENDITURE Amount

Paid by { Check No. _____ dated _____, 19____, for $_____ } on Treasurer of the United States in favor of payee named above.
Paid by { Cash, $_____, on _____, 19____. *Payee _____ }

(Sign original only)

Per _____

Title _____

* When a voucher is signed or receipted in the name of a company or corporation, the name of the person writing the company or corporate name, as well as the capacity in which he signs, must appear. For example: "John Doe Company, per John Smith, Secretary", or "Treasurer", as the case may be.
† If the ability to certify and authority to approve are combined in one person, one signature only is necessary; otherwise the approving officer will sign in the blank space below "Approved for $_____", and over his official title.

U. S. GOVERNMENT PRINTING OFFICE 10—1751a

601 Sheldon Building
December 19, 1940

Memorandum for Superintendent Franke,
Bryce Canyon National Park:

Reference is made to your memorandum of December 11, 1940, returning the water right application for the appropriation of the waters of Yovimpa Springs.

I have made the following changes at your suggestion:

1. Relocated the NE corner of Section 4, using the tie to triangulation point B as you explained. (See attached sketch.)

2. Corrected ties from said corner to diversion points.

3. Added 75 feet to width of spring area.

4. Amended 40 acre subdivisions at points of diversion and use to agree with change in location of section corner.

5. Added the fire lookout station as a place of use.

6. Eliminated Spring C (which I thought was Spring C, but proves to be a circle around the 32" describing tree on which witness point 2 is located.)

I am rather disconcerted by your statement that the pump site may not be at the point shown on your original map and described in the application. To change it is to change the point of diversion, and changing the point of diversion permits the State Engineer to lower the date of priority from that of original application to that of notice of the change.

The point of diversion for a spring area is the point at which the water is commingled, either at the pump or collecting sump. Hence we cannot evade the question of pump location. However, by

FILE COPY

designating the two main springs we may be able to change the pump location later without losing the priority, butwe cannot be sure. An alternative is to designate Spring B (the lower) as point at which water from Spring A, and any other flow above, is delivered to the system. In this case the design would have to provide for a collectinggallery at that spring, and any springs lower in elevation would have to be ignored. Also, much of the spring area could be eliminated as too low for use.

We enclose the revised application for your signature and forwarding to the State Engineer if you wish to chance the loss of priority. There is not much loss of right in the lower priority in this case probably, and it may be better to lose in order to obtain the permit to construct. However, I shall be glad to prepare another draft of the application if you or the Regional Office can now supply more definite plans for the diversion works.

Enclosures. (Previously forwarded drawing NP-BC-6976 and note application.)

A. van V. Dunn,
Hydraulic Engineer.

AvVD:SH

cc: Director.
Region III.
Reg. Atty. Taylor.

12-16-1940: memorandum: application for the appropriation of yovimpa springs ; december 16, 1940

12-11-40

DEC 16 1940

ROUTING	Date
Area	12/19

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
ZION AND BRYCE CANYON NATIONAL PARKS
SPRINGDALE, UTAH

December 11, 1940

Application Revised

MEMORANDUM for Regional Director, Region IV:

Attention Hydraulic Engineer A. van V. Dunn

Reference is made to your memorandum of December 3 re application for the appropriation of Yovimpa Springs at Bryce Canyon National Park.

The tie questioned in your third paragraph was from 5+91 to 36+85.N61°57'E 37.50 feet and pertains to section tie to section 4. This section corner is in place and the triangulation was made from that point.

The township line has been surveyed; sections to the north of the township line have not been surveyed, and there is a possibility of an offset along the township line.

The proposed picnic ground at Rainbow Point is adjacent to the comfort station. The museum is located on the rim to serve also as an overlook. The comfort station is further back from the rim. The picnic area will be to the east and southeast of the comfort station and will at first comprise approximately 1½ acres. It seems best, as you have done, to include the two half sections to cover any possible area.

The spring area as described in the application and shown on plan NP-BC-6976 covers the spring area. If it is necessary for the sump and pump house to be within the described area, it might be well to increase the width of the spring area eastward for an additional 75 feet for the full length of 300 feet.

Since our memorandum of November 25, we have found that there is a strong probability that a fire guard will be stationed at Rainbow Point for three months of each year, necessitating the construction of quarters and tower. Culinary and fire protection water are to be provided. This proposed construction is not shown on the master plan.

It is noted on plan 6976 that you show spring "C". No doubt you have taken a point in the seepage area as our original survey gave only two points, namely "A" and "B".

The above notations will cause changes to be made in the application and on the plan; hence the application and plan 6976 are enclosed for the necessary corrections.

Paul R. Franke
Superintendent

CC for the Director
Regional Director, Region III
Regional Attorney Taylor, Region IV

Enc.

601 Sheldon Building
December 3, 1940

Memorandum for Superintendent Franke,
Bryce Canyon National Park:

Reference is made to your memorandum of November 25, 1940, regarding the application for the appropriation of the waters of Yovimpa Springs at Bryce Canyon.

We enclose the original of said application which should be signed and forwarded to the State Engineer at Salt Lake. (Your signature, as an agent for the United States, does not need to be attested.) As Mr. Humphreys usually requests certain amendments, we are holding your copy until all such changes are complete. We request that you return the application and the State Engineer's letter of instructions to us for such corrections as may be requested.

A print of drawing BC-6976 is enclosed as a basis for evaluating the data in the application. There was some question as to whether the tie between 5/91 and 36/85 on the line from triangulation point B was from 5/91 to 36/85 or the reverse, probably due to the way I worded my previous question. As an insert on the drawing we have shown three interpretations and noted the one which we used, going northeast from 36/85 to 5/91. This value makes your traverse and the base map agree very well, as illustrated by the manner in which the "Rim" cuts in between the springs and pump site. If the interpretation is not correct, however, please return the application for correction. (Note that the three interpretations result in a difference of about 500 feet in the relative position of the NE corner of Section 4.)

We did not attempt to adjust sections and park boundary too closely for this study. Apparently, from the boundary in Section 34, there is an offset along the township line. It is in the direction to give greater assurance that developments are in the fractional sections described in the application, and therefore unimportant at the moment.

Your attention is directed to the positions of museum and comfort station. From the base map there is a large area of plateau to the east, chiefly in Section 27, although your area topographic maps show the museum to be much nearer the rim. This is not important at the

FILE COPY

moment, if the development is in the proper relation to Sections 3 and 4, but the differences indicate that some more data is needed on areas of use before the map is prepared for proof of construction.

From the maps at hand I am not entirely clear as to the location of the campground and picnic area. They, rather than the whole Rainbow Point plateau, will want to be shown on the final map. The application includes all portions of the plateau in two half sections to cover these areas. It is easy to reduce the area at time of proof, but we wish to be sure that both campground and picnic area are to be in the area described and not on a spur which is not described.

A large scale of the spring area is inserted at the top of the drawing. As described, it seems to cover ample area to permit nearly any type of development you wish. Before you submit the application, however, please be sure that it includes all promising marsh area in addition to the three main springs. If not, return the application with suggested modifications.

We have been a little liberal in estimating future attendance and a permanent caretaker's quarters without master plan authority, but it seems wise to make such provision for expansion since it offers more flexibility for your final proof.

We are returning drawings BC-4999, 8146, and 2008-A. They have served their immediate purpose, and I assume they will be incorporated with ties, in the final survey of the water system.

Hydraulic Engineer.

Encls.

AvVD:SH

cc: Director.
Region III.
Reg. Atty. Taylor.

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
ZION AND BRYCE CANYON NATIONAL PARKS
SPRINGDALE, UTAH

November 25, 1940

NOV 28 1940
ROUTING | Date
11/28
FILE

MEMORANDUM for Regional Director, Region IV:

Attention Hydraulic Engineer Van V. Dunn

Reference is made to your memorandum of November 7 re Yovimpa Springs at Bryce Canyon National Park.

Page 1, paragraph 3. The bearing S63°01' W from station 21+00 to Pl 37 +23.02 is correct. The bearing shown on blue print as S61° 51' E for 37.50 feet is in error and should be S 61° 57' W for 37.50 feet, and it is a tie from POT 36+85 (water line) to 5+91.00 of the traverse to triangulation pt. B.

Page 1, paragraph 4. The ties from triangulation stations A and B are to the north corner common to sections 3 and 4. The corrections noted in the above paragraph will clear up the location of the springs as to the rim location: the springs are in a niche or cove. Station 68+55 is located on the nose of a small hill; station 22+00 is located up hill from the draw or low point, station 21+44, elevation 8775.30. The bench mark elevation 9105 at Rainbow Point was destroyed several years ago. Prints BC-4999, BC-8146 and an insert from 2008-A are being sent to you for the location of BM 9105, the museum-overlook and newly constructed comfort station.

Page 1, paragraph 5. All of the area between springs "A" and "B" should be taken and at least 50 feet each side of the line connecting them. It would be best to file, as you have suggested, 50 feet beyond the limits of the springs. Spring "A" is in a small draw and spring "B" is along the side hill and covers the area between "A" and "B". Spring "A" flows the larger quantity of water; the measurement taken in 1939 was at the junction of the two streams. Spring "A" is approximately twice that of spring "B", but no doubt development along the hill would increase the flow of spring "B".

Page 2, paragraph 1. The design of the intake sump, pump, size of lines, etc., has not been worked up to date, but for filing purposes the following information has been worked up in the Zion office. The final design will be done by Region III.

Diversion or collection will be by six inch perforated drain tile discharging into a concrete collecting sump of 5,000 gallon capacity, or 10' x 10' x 7' inside dimensions. A two-stage centrifugal pump

of 20 g.p.m. will be operated by a 20 h.p. gasoline engine to deliver the water to a 10,000 gallon redwood tank mounted on steel supports 20 feet high, the water to be pumped through 7,350 feet of 2" galvanized pipe under an 825 foot static head; a 2" galvanized distribution main of 400 feet in length will deliver the water by gravity to the place of use at a public comfort station in a picnic area with a capacity of 100 people, to drinking fountains, service taps, and two fire hydrants, 1½", in said campground and adjacent museum area.

Page 2, paragraph 2. The pumphouse site will be determined at the proper elevation when the sump site has been established.

Page 2, paragraph 3. The time of water use will be from April 1 to November 1 of each year. There is no justification for all-year use as Rainbow Point is heavily snowed in each year, too remote from headquarters, and not suitable for winter sports.

It is hoped that the preceding information will be sufficient so that the application may be completed at an early date.

Paul R Franke
Superintendent

CC to Regional Director, Region III

Mr. Demmy

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
REGION FOUR
SAN FRANCISCO, CALIFORNIA

601 Sheldon Building
November 7, 1940

Memorandum for Superintendent Franke,
Zion National Park:

Reference is made to your memoranda of September 25 and November 1, 1940, regarding an application to appropriate the waters of Yovimpa Springs at Bryce Canyon.

It will not take more than a day to complete this application, but I fail to find any actual description of the proposed design in our assembled data, and am not quite sure of the information on the blue-print sent with your earlier memorandum.

This map gives a bearing of S 63-01 W below station 21/00, ok ok
and a course of S 61-31 W 37.5 feet between stations 36/00 and err ok
36/85. We assume that both should be S-W, and that the latter is the bearing from a point 37.5 feet back of 36/85, where the line to triangulation Pt. B starts, to 37/23.02, but this station 36/47.5 is not designated as a PI.

We also assume that the ties from triangulation stations A and B are to the north ok corner common to sections 3 and 4. On this basis, I have plotted the control points along the traverse on a tracing of a print of the park base map, of which I enclose a print. The springs fall on top of the rim, which may be due to my misunderstanding of the PI's and bearing near 36/47.5 or to the relative inaccuracy of the base map. The rim is easily corrected to give the true picture, but I should like to be sure that the springs are in the little niche which they just miss. I should also like to know which ok side of the draw stations 68/55.1 and 22/00 are located, and how far from the low spot. We should also like to know whether you have any tie from the traverse to the bench mark near the Museum Overlook, or can give me an estimate of its position. Better still, have you a topographic map of the museum and campground area on which you can show the Overlook and comfort station, as such a map will also give me a better idea of whether to include water use only in section 28, or in 28 and 27.

There seems to be another spring below Spring B on the map, and I wonder if we would ever wish to bring it into the development. We can do this by filing on a spring area with limits

50 feet beyond each of the three. In any case I must designate the approximate portion of the water to be diverted at each pipe terminus. Your correspondence indicates that total measured flow in 1939 was about 3950 g.p.d. We should probably apply for 5000 g.p.d. in order to be sure we have a claim to all that may be developed and still not appear excessive when the final lesser amount is determined by measurement at the time the final certificate is granted. On this basis, are the flows of Springs A and B about equal?

The easiest way to describe the water system would be from a plan, but we do not need all the details. The following description is typical of the form we shall use, but the underlined portions should be modified to agree with your design:

> Diversion will be by 6 inch farm tile laterals at the springs, discharging into a concrete collecting sump, 10 ft. x 10 ft. x 7 ft. internal dimensions and 5000 gallon capacity. A single stage centrifugal pump of 20 g.p.m. capacity will be operated by a 10 horsepower gasoline engine to deliver the water to a 10,000 gallon concrete distribution reservoir through 7350 ft. of 2 inch galvanized pipe under an 825 ft. static head. A 4 inch cast iron distribution main 400 ft. in length will deliver the water by gravity to the place of use at a public comfort station in a campground with a capacity of 100 people, to drinking fountains, service taps, and 2 fire hydrants in said campground and adjacent museum area.

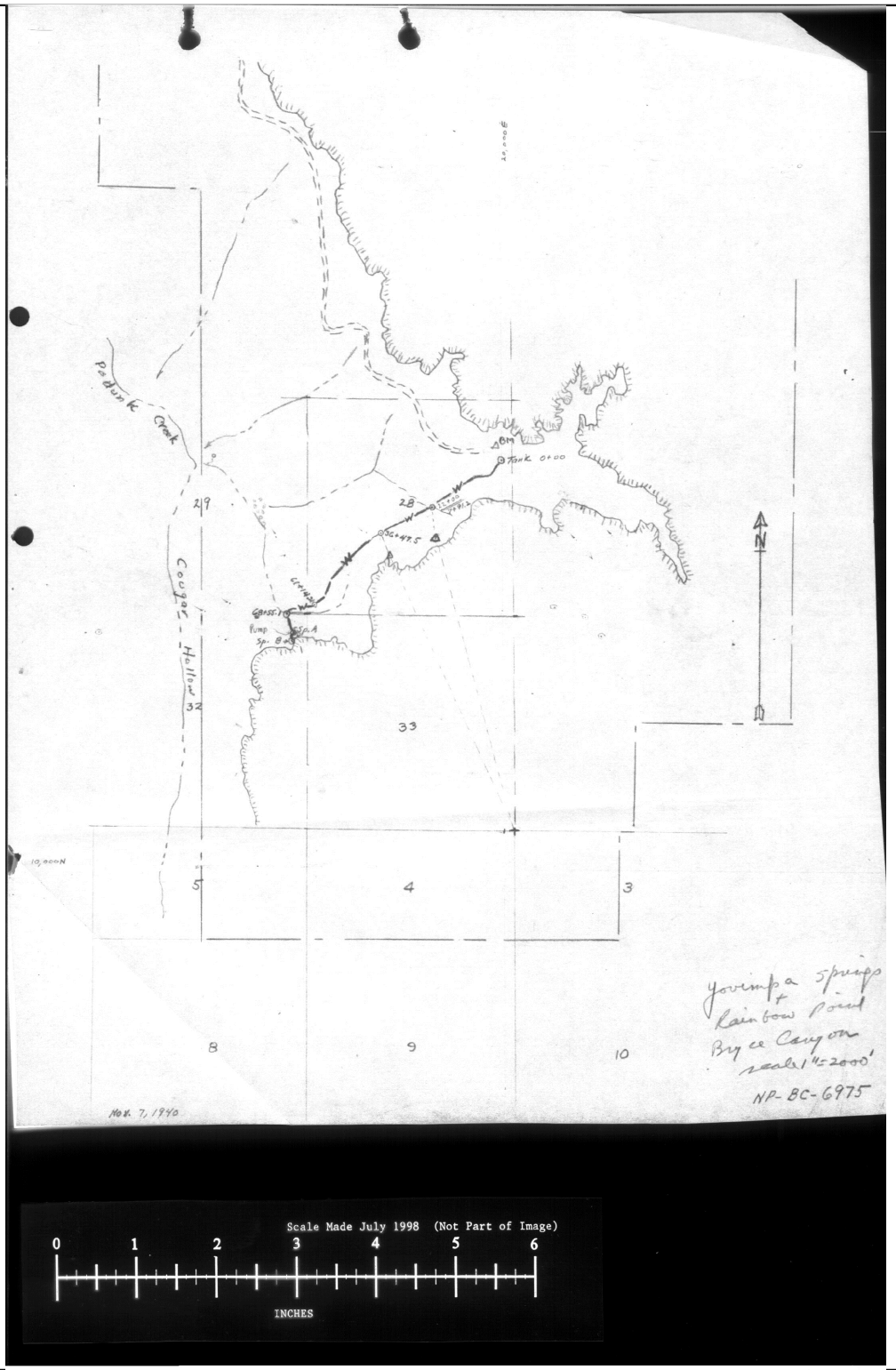
With springs as low as 8316, and the pump site shown at 8358, there is a 42 foot suction lift, which is impossible. Presumably the pump house is to be below ground to reduce this lift, and it would be helpful to know more about pump elevation and the details of the whole diversion system from springs to pump.

We must also give the time of water use which I assume to be from June 1 to October 15 each year. We could claim all year use if there is any sound justification.

On receipt of the preceding information, we shall complete the application at once. However, we do not see any reason for delaying your request for construction funds or for questioning a clear title to the use of water in this case.

A. van V. Dunn,
Hydraulic Engineer.

11-07-1940: ovimpa springs map; november 07, 1940



11-01-1940: memorandum: date required; november 01, 1940

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
ZION AND BRYCE CANYON NATIONAL PARKS
SPRINGDALE, UTAH

NOV 4 1940
ROUTING | Date
11/4
Ans. 11/5/40 A.V.P.
FILE

November 1, 1940

Memorandum for the Regional Director, Region IV:

Attention Regional Attorney

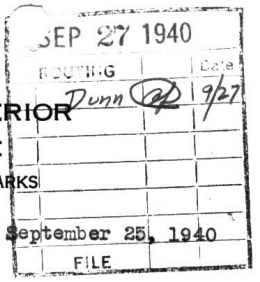
Reference is made to our memorandum of September 25 transmitting certain engineering data required for filing on Yovimpa Springs in Bryce Canyon National Park.

Construction of the Rainbow Point Comfort Station has been completed, and it is now planned to request funds for the construction of a water system to serve Rainbow Point. Further action towards this accomplishment must necessarily wait a clear title on Yovimpa Springs, and we shall appreciate knowing what progress has been made in filing on this water.

Paul R. Franke
Superintendent

09-25-1940: memorandum: tracing of the proposed yovimpa springs; september 25, 1940

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
ZION AND BRYCE CANYON NATIONAL PARKS
SPRINGDALE, UTAH



Memorandum for the Regional Director, Region IV:

Attention: Hydraulic Engineer A. van V. Dunn

Under separate cover we are forwarding you a tracing of the proposed Yovinpa Springs- Rainbow Point Water System at Bryce Canyon National Park, also a profile of the proposed location of the system.

You will find shown on the tracing a tie from two different points along the proposed line to the section corner of Sections 3 and 4 T. 39 S R 4 W . By coordinating the survey a tie from Yovinpa Springs "A" and "B" can be had. It is hoped that with this data and the information previously given you an application for the water at Yovinpa Pass can be prepared and filed with the Utah State Engineer at an early date.

John M. Davis
Assistant Superintendent

Bryce Canyon 660-05.7
X-ref on 660-05.7

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
REGION FOUR
SAN FRANCISCO, CALIFORNIA

601 Sheldon Building
December 16, 1939

Memorandum for Superintendent Franke,
Zion National Park:

Reference is made to our recent inquiry as to the status of the change in point of diversion from the Gifford Ditch to the Birch Creek Water System, Zion National Park.

We did not intend to throw additional load on your engineer at this time. Hydraulic Engineer A. van V. Dunn of this office is now working on a group of water rights which must frequently be dropped during an exchange of correspondence with various park and State officials. We feel that if he had a map and complete description of the old ditch right, he and his draftsman could very quickly complete the engineering phases by the application for changed point from the Birch Creek designs in the Regional files, and return for your signatures and transmission to the State Engineer.

Your attention is also called to the Rainbow Point Water System mentioned in your July report for Bryce Canyon. We wonder if this is fully covered by water rights. If not, we should be glad to add this to the winter activity if you will send us such plans and data as you have.

Joseph E. Taylor,
Regional Attorney.

JET:SH

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
Bryce Canyon National Park
Bryce Canyon, Utah

IN REPLY REFER TO:
L54

May 3, 1963

RECEIVED
MAY 6-1963

	Routing	Date
Regional Director		
Cons., Interp. & Use		
Administrative		
Resource Planning		
Program Coord.		
Operations		
Concessions		
Natural History		
Hist. & Archaeology		
Ranger Services		
Files		

Memorandum

To: Regional Director, Southwest Region

From: Superintendent, Bryce Canyon

Subject: Yovimpa Springs Flow Measurement

This will confirm the telephone conversation on the afternoon of May 2 between Mr. John Kell and Administrative Assistant Guiton of this office at which time the following data relative to subject was given:

First filling of 30 minutes produced 9 3/8" of water in tank 0.034 cfs
Second filling of 30 minutes produced 9 1/2" of water in tank 0.035 cfs
The tank measures 10 feet, inside diameter

As was also confirmed during the conversation, we propose to serve a picnic area and a two-unit seasonal apartment with this source.

Louis W. Hallock
Superintendent

L54 Bca

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
Bryce Canyon National Park
Bryce Canyon, Utah

RECEIVED
MAY 2 - 1963

IN REPLY REFER TO:
L54

April 30, 1963

Memorandum

To: Regional Director, Southwest Region

From: Superintendent, Bryce Canyon

Subject: Measurement - Yovimpa Springs - Bryce Canyon

To assist in furnishing proof of appropriation of our application 20278 for Yovimpa Springs the following information is furnished as requested by the Assistant Regional Director, Resource Planning, in memorandum dated April 24, 1963.

Spring measured:	Yovimpa
Date measurement:	April 29, 1963
Measurements by:	R. D. Pollock, Maintenance Supervisor Louis W. Hallock, Superintendent
Measurement container:	5 gallons
Average time to fill container:	87 seconds
Inside measurement of container:	D=11.25" H=11.75"
Calculated flow per minute:	3.45 G.P.M.

The measurement was taken at a time of day when, because of snow and mud, it was possible to reach the spring by four-wheel drive vehicle.

The measurement was taken at the spring flow outlet after sufficient space had been cleared below the outlet to allow the measuring container to be placed below the outlet and to catch the entire flow. The measuring device was placed below the outlet in a level position to insure accuracy of the time required to produce 5 gallons of water. A sufficient number of sample measurements were taken to insure accuracy. Time elements were secured by timing with a watch using full dial sweep second hand.

We cannot assure that the measurements were taken at the peak period but it might be assumed that this is the case. Additional measurements could be taken if required but any additional slight increases upward or downward would not seem to be influencing.

Louis W. Hallock
Superintendent

In duplicate

L54 Bca

04-03-1963: memorandum: proof of appropriation of application no. 20278; april 03, 1963

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
Bryce Canyon National Park
Bryce Canyon, Utah

RECEIVED
U.S. SOUTHWEST REGIONAL OFFICE
APR 5 1963

	Surname	Date
Regional Director		
Cons., Interp & Use		
Administration		
Resource Planning		
Program Coord.		
Operations		
Concessions		
Natural History		
Hist. & Archeology		
Branch Services		
Files		

IN REPLY REFER TO:
L54

April 3, 1963

Memorandum

To: Regional Director, Southwest Region

From: Superintendent, Bryce Canyon

Subject: Proof of Appropriation of Application No. 20278, Yovimpa Springs

In response to your memorandum dated March 27, 1963, we offer the following information and recommendations concerning the above application.

1. Pumping and spring flow records for 1960, 1961, and 1962, are attached. You will note that the spring flow records for these recent years is considerably below that claimed in application No. 20278.

2. Chart of average daily consumption during certain peak travel periods. Since there has been relatively little fluctuation in annual park travel, average daily consumption for the 1962 summer season may be assumed to be comparable.

Insofar as future development is concerned for Rainbow Point, the park development schedule proposes the construction of a 10-site picnic area and one 2 unit apartment building (seasonal use) to be the only construction contemplated for the future. According to our calculations, these projects will add approximately 800 gallons per day to the existing water use bringing the total to approximately 2000 gallons per day. This total would, of course, increase slowly as total park travel increases. However, we must include here the statement that we have no way of knowing whether total travel to Rainbow Point will increase in direct proportion to total park travel but we should, in all probability, assume that it will.

The present pump, at 15 G.P.M., is capable of producing 21,600 gallons per day which seems to be in very close relationship to the actual recorded 1962 spring flow in gallons per minute. It appears that a larger pump, as previously recommended, would do little beyond shortening the required pumping time. To assist you further, in using the existing pump, we

MAY 1963
RETURNED
CENTRAL FILES
NATIONAL PARK SERVICE
REGION THREE
OFFICE

L54 Brca

have been able to develop the following rule-of-thumb for area maintenance purposes: 1 gallon of fuel = 1 hour of pumping time = 1000 gallons of water delivered to the 5000 gallon storage tank.

The records show a decided decrease in spring flow from that recorded at the time Application No. 20278 was made. This is ascribed to both drought conditions and to a change in spring flow due to reported earthquake activity. However, in September 1956, development of an unused seep east of the collection sump was completed and it is our conclusion that all of the available supply is now being collected in the sump. It is also our opinion that further development would not increase the total flow by any appreciable amount.

The 1962 spring flow records show a decided fluctuation in amounts none of which approximate the 44.88 GPM specified in the application. There are no factors to be considered, which we can see, which would indicate increases in the spring flow to approximate that named in the application, 44.88 G.P.M.

In addition, it would appear that present spring flow, and pump capacity, and present use of water plus the increased use by development and travel increases would be adequate for some time in the future. This would prompt us to recommend that proof of appropriation be made prior to May 12, 1963.

We feel also that should visitor use exceed by any great amount that which we anticipate, resulting in greater water use at Rainbow Point, the problem will become one of water management and probably will require an increase in storage capacity rather than any other change. Certainly, the present spring flow if it continues at the rate indicated for the last three years will be adequate providing the available storage is adequate.

There are attached two duplicate copies of this memorandum and its attachments for whatever additional distribution you deem advisable.

If we can furnish further information we shall do so promptly.

Louis W. Hallock
Superintendent

In triplicate w/attachments

00-00-0000: average daily consumption of water at rainbow point: july of 1957, 1958, 1959

AVERAGE DAILY CONSUMPTION OF WATER AT RAINBOW POINT

June 29 to July 27, 1957

29 days - 27,804 gallons water pumped

Average Daily Use = 958 gallons

July 1 to July 29, 1958

29 days - 28,797 gallons water pumped

Average Daily Use = 993 gallons

July 2 to July 31, 1959

30 days - 34,797 gallons water pumped

Average daily use = 1,159 gallons

00-00-0000: record kept on the pump at yovimpa springs during the 1960 summer season

Following is the record kept on the pump at Yovimpa Springs during the 1960 summer season:

Date	Gallons of Water Pumped	
5/18/60	5,000	System put in operation
6/4/60	2,000	
6/11/60	[illegible]	
6/16/60	3,000	
6/20/60	2,500	
6/27/60	4,000	
7/4/60	4,000	
7/8/60	4,000	
7/23/60	4,000	
8/1/60	4,000	
8/5/60	4,000	
8/12/60	1,000	
8/20/60	4,000	
8/28/60	3,000	
9/8/60	[illegible]	
9/18/60	[illegible]	Operation closed down for winter
	86,500	

SPRING FLOW
7-12-60 - 3 GPM
8-28-60 - 2 GPM

The modern comfort stations at Rainbow Point were closed and the pit type toilets there opened for use September 27.

Also at Sunset Point the modern comfort stations were closed and the pit type toilets opened for use September 29.

Date	Gallons water Pumped	Gallons gasoline used	Spring Flow gallons per minute	Remarks	Operators Initials
5/23/61	5000	5	3 per min.	Pump put in operation	D.E.H.
5/28/61	3000	3	3 per min.		D.E.H.
6/5/61	3000	3	2½ per min.		D.E.H.
6/19/61	4000	4	2½ per min.		D.E.H.
6/23/61	4000	4	2½ per min.		L.S.
6/29/61	4000	4	1-3/4 per min.		D.E.H.
7/6/61	4000	4	1½ per min.		L.S.
7/12/61	4000	4	1½ per min.		L.S.
7/17/61	4000	4	1½ per min.		R.H.
7/24/61	4500	4½	1½ per min.		D.E.H.
7/30/61	4500	4½	1-1/3 per min.		D.E.H.
8/6/61	4000	4	1-1/3 per min.		D.E.H.
8/12/61	4500	4½	1-1/3 per min.		L.S.
8/20/61	4000	4	1.25 per min.		D.E.H.
8/26/61	4000	4	1.25 per min.		R.H.
8/30/61	1200	1½	1.20 per min.		B.O.
9/3/61	3000	3	1.20 per min.		D.E.H.
9/10/61	3000	3	1.20 per min.		D.E.H.
			Drained September 11, 1961		
9/18/61			1.20 per min.		D.E.H.

Culinary water consumption for Park Service facilities averaged 8,690 gallons per day during September and Utah Parks Company averaged 18,738 gallons per day.

Sewage lines and plants continued to function normally during the month.

Date	Gallons Water Pumped	Spring Flow Gallons Per Minute	Gallons Gasoline Used	Operators Initials
6/18/62	3000	15 per min.	3	JRO
6/20/62	2000	Pump put in operation 1t per min.	2	JLL
6/27/62	3000	15 per min.	3	R.H.
7/2/62	5000	15 per min.	5	DEH
7/7/62	4000	15 per min	4	RH
7/8/62	2500	15 per min.	2½	DEH
7/14/62	4000	15 per min	4	LS
7/17/62	4500	14 per min	4½	DEH
7/21/62	5000	14 per min	5	LS
7/26/62	3000	12½ per min	3	BB
7/30/62	3000	12 per min	3½	BB
8/1/62	5000	10 per min	5	LS
8/6/62	3000	10 per min	4	DEH
8/8/62	4000	9 per min	4	LS
8/13/62	5000	8 per min	5	DEH
8/17/62	4000	7 per min	4	DEH
8/23/62	4000	7 per min	4	LS
8/30/62	3500	6 per min	3½	LS
9/6/62	4000	6 per min	4	LS
9/10/62	1000	6 per min	1	JRO

Following is a listing of the amount of water (gallons) pumped from Yovimpa Springs to the Rainbow Point storage reservoir for the years 1957, 1958 and 1959, based on an average of 993 gallons of water pumped for each gallon of gasoline used by the pump motor.

see memo 3/28/60

1957	gallons pumped	Gas used	1958	gallons pumped	Gas used	1959	gallons pumped	Gas used
May 21	4,965	5 gal.	May 22	4,965	5 gal.	May 11	4,965	5 gal.
May 28	4,965	5 gal.	May 27	3,972	4 gal.	May 13	2,979	3 gal.
May 29	2,979	3 gal.	June 2	4,965	5 gal.	May 14	2,979	3 gal.
June 4	4,965	5 gal.	June 6	4,965	5 gal.	May 22	2,979	3 gal.
June 13	3,972	4 gal.	June 10	3,972	4 gal.	May 29	3,972	4 gal.
June 21	4,965	5 gal.	June 15	4,965	5 gal.	June 10	2,979	3 gal.
June 29	4,965	5 gal.	June 20	3,972	4 gal.	June 18	4,965	5 gal.
July 5	4,965	5 gal.	June 27	4,965	5 gal.	June 25	3,972	4 gal.
July 10	3,972	4 gal.	July 1	4,965	5 gal.	July 2	2,979	3 gal.
July 15	4,965	5 gal.	July 5	3,972	4 gal.	July 7	3,972	4 gal.
July 23	3,972	4 gal.	July 11	4,965	5 gal.	July 12	3,972	4 gal.
July 27	4,965	5 gal.	July 17	4,965	5 gal.	July 17	3,972	4 gal.
Aug. 2	4,965	5 gal.	July 22	4,965	5 gal.	July 20	1,986	2 gal.
Aug. 9	3,972	4 gal.	July 29	4,965	5 gal.	July 21	3,972	4 gal.
Aug. 17	4,965	5 gal.	Aug. 8	4,965	5 gal.	July 25	3,972	4 gal.
Aug. 22	4,965	5 gal.	Aug. 12	4,965	5 gal.	July 27	3,972	4 gal.
Aug. 28	4,965	5 gal.	Aug. 15	4,965	5 gal.	July 29	2,979	3 gal.
Aug. 31	4,965	5 gal.	Aug. 24	2,979	3 gal.	July 31	2,979	3 gal.
Sept. 5	1,986	2 gal.	Aug. 30	4,965	5 gal.	Aug. 3	3,972	4 gal.
Sept.12	4,965	5 gal.	Sept. 7	4,965	5 gal.	Aug. 7	2,979	3 gal.
Sept.19	4,965	5 gal.	Sept.13	3,972	4 gal.	Aug. 12	3,972	4 gal.
Sept. 20	Pump drained	-	Sept.14	pump drained	-	Aug. 20	2,979	3 gal.
						Aug. 22	2,979	3 gal.
						Aug. 24	1,986	2 gal.
						Aug. 30	2,979	3 gal.
						Sept. 5	2,979	3 gal.
						Sept. 9	3,972	4 gal.
						Sept.14	4,965	5 gal.
						Sept.17	3,972	4 gal.
						Sept.18	pump drained	-
Totals	95,328	96 gal.		97,114	98 gal.		102,279	103 gal.

00-00-0000: account of visitation and water consumption at rainbow point for summer seasons of 1957, 1958, 1959

Following is an account of visitation and water consumption at Rainbow Point for the summer seasons of 1957, 1958 and 1959. Visitation to Rainbow Point is obtained by the use of traffic counters. An estimated 41% of the total park travel visit Rainbow Point. Water consumption is based on the actual gallons pumped according to the gasoline consumed by the water pump.

SEASON 1957

Visitation

		Vehicles	Visitors
Peak Day	(July 6)	295	971
Peak Week	(6/30 - 7/6)	1823	6500
Entire Season	(April - October)	30,759	104,048

Water Consumption

		Water Pumped	Average Daily Use
Peak Period	(6/29 - 7/27, 29 days)	27,804	958
Entire Season	(5/21 - 9/20)	95,328	

SEASON 1958

Visitation

		Vehicles	Visitors
Peak Day	(July 4)	311	1,057
Peak Week	(7/6 - 7/12)	1,725	6,034
Entire Season	(April - October)	28,684	94,958

Water Consumption

		Water Pumped	Average Daily Use
Peak Period	(7/1 - 7/29, 29 days)	28,797	993
Entire Season	(5/22 - 9/14/)	97,314	

SEASON 1959

Visitation

		Vehicles	Visitors
Peak Day	(August 18)	324	1,137
Peak Week	(8/16 - 8/22)	2,138	7,548
Entire Season	(April - October)	32,547	109,275

Water Consumption

		Water Pumped	Average Daily Use
Peak Period	(7/2 - 7/31, 30 days)	34,797	1,159
Entire Season	(5/11 - 9/18)	102,279	

00-00-0000: there has been no development for additional water at the yovimpa springs since september 1956

RAINBOW POINT WATER SYSTEM

There has been no development for additional water at the Yovimpa Springs since September 1956.

The development of an unused seep east of the collection sump was completed in September 1956. This has supplied us with sufficient water to keep the Rainbow Point comfort station open on a 7 day week basis for the seasons of 1957, 1958 and 1959.

The last measurement on water flow from the Yovimpa Springs was made on May 4, 1959. The measurement showed a flow of an average of 3 gallons per minute (4,320 gal. per day).

Attached is the pump data for Yovimpa Springs and the figures showing representative visitor use at Rainbow Point for the Summer Seasons of 1957, 1958 and 1959.

154 WR Copy

Bryce Canyon National Park
Bryce Canyon, Utah

April 9, 1957

Memorandum

To: The Director

From: Acting Superintendent, Bryce Canyon

Subject: Water Right Application and Permit 14066 (cancelled) and 20278, Yovimpa Spring, Docket 1, Rainbow Point, Bryce Canyon

This is in reply to Mr. Dunn's memorandum of March 26 on the above subject.

We agree that further extension of time should be requested from the State Engineer's Office.

Following is the meager information that we have on the pump and flow records from Yovimpa Spring for 1956. We do plan to install meters this year to give us more complete records.

		Gallons Water Pumped
June 4, 1956		5,000
June 12, 1956		2,000
June 22, 1956		3,000
July 3, 1956		2,500
July 9, 1956		1,000
July 20, 1956		3,000
July 28, 1956		2,000
August 6, 1956		2,000
August 18, 1956		3,000
August 28, 1956		2,500
September 4, 1956		1,000
September 15, 1956		3,000
September 28, 1956	(Closed)	
	Total	30,000

It was necessary to close the comfort station at Rainbow Point for at least three days a week during last summer due to lack of water. However, the following quote from the Superintendent's Monthly Report for September 1956 may be of interest:

"The improvement of Yovimpa Spring to produce many times the volume of water was the most important maintenance accomplishment of the month. An unused seep east of the

12 RC'M

collection sump was developed and brought into the sump by Foreman Willis and his crew. The old collection system was cleaned to increase flow from that source somewhat. This increase in water enables us to keep the Rainbow Point comfort station open all the time - we have had to close it for three days a week because of the water shortage."

It is the thought here that the springs will now produce approximately 1000 gallons per day or twice as much as the approximated 500 gallons per day use with present travel. However, these figures will need to be documented by flow records and meters this next summer.

Following are the approximate travel figures for Rainbow Point for the years 1954, 1955 and 1956. A better idea of visitation to this area can be given next fall since a traffic counter will be installed beyond Natural Bridge to give an accurate reading on cars proceeding to Rainbow Point.

1954 - Peak day (July 4) 268 vehicles and 964 visitors
Peak week (July 1 to 7) 1,648 vehicles and 5,845 visitors
Entire year - 27,551 vehicles and 91,356 visitors

1955 - Peak day (July 3) 327 vehicles and 1,224 visitors
Peak week (July 1 to 7) 1,725 vehicles and 6,254 visitors
Entire year - 28,014 vehicles and 98,881 visitors

1956 - Peak day (July 1) 340 vehicles and 1,144 visitors
Peak week (July 1 to 7) 1,785 vehicles and 99,804 visitors
Entire year - 28,498 vehicles and 99,804 visitors ← should be 6000

Mission 66 plans call for an interpretive center at Rainbow Point and small picnic areas at Rainbow and Yovimpa Points. With the projected increase in travel to Bryce Canyon to 500,000 visitors by 1966, travel to Rainbow Point by then is estimated to be approximately 150-200,000 per year.

Wayne R. Howe
Acting Superintendent

In duplicate
Copy to: Regional Director, Region Three - Air Mail
Chief, WODC - Air Mail

In reply refer to:
L54-ZION Bryce Canyon

To ~~DIRECTOR~~.

Zion and Bryce Canyon National Parks
Springdale, Utah

Paul

November 15, 1955 Dunn

Memorandum

To: Regional Director, Region Three

From: Superintendent, Zion and Bryce Canyon

Subject: Yovimpa Spring Water Right, Application 20278, Docket 1, Bryce Canyon

As requested in the last paragraph of Chief, Water Resources Section, letter of May 9, 1955 to you, the measured quantity of water flow from Yovimpa Spring and quantity of water pumped from Yovimpa Spring to Rainbow Point is given on the attached sheets. Additional information for the years 1953 and 1954 is also given.

(SGD) PAUL R. FRANKE

Paul R. Franke
Superintendent

Enclosure
In duplicate
cc: Western Office, Design and Construction
Engineer Wilcox, Zion

BRC 1

00-00-0000: rate of flow gallons per minute for july 29, 1955 - sept. 20, 1955

DATE	RATE OF FLOW GALLONS PER MINUTE				
	Main Spring Concrete Reservoir	Small Spring about 8 ft. below Main Spring	Small Spring about 15' below main Spring	Total Three Springs	GALLONS Pumped from Main Spring
July 29, 1955	.344	.272	1.06	1.676	2,749
Aug. 5, 1955	.338	—	—	—	2,482
Aug. 10, 1955	.350	.238	.895	1.483	2,333
Aug. 12, 1955	—	—	—	—	2,150
Aug. 15, 1955	.347	.210	.945	1.502	1,937
Aug. 18, 1955	—	—	—	—	2,151
Aug. 24, 1955	—	—	—	—	* 1,986
Aug. 30, 1955	.309	.1806	.781	1.271	3,243
Sept. 2, 1955	.314	—	—	—	1,340
Sept. 9, 1955	.301	—	—	—	3,237
Sept.20, 1955	.286	.1612	.585	.932	3,367

*Based on an average of 993 gallons of water pumped per gallon of gasoline used by pump motor, 1955 season. Pumping stopped September 20, 1955.

AMOUNT OF WATER (Gallons) PUMPED FROM YOVIMPA SPRINGS TO RAINBOW POINT, during years 1953, 1954 and 1955, based upon an average of 993 gallons of water pumped for each gallon of gasoline used by pump motor.

1953	Gallons Pumped	1954	Gallons Pumped	1955	Gallons Pumped
June 22	4,965	June 2	2,979	June 6	4,965
July 7	993	June 3	1,986	June 13	4,965
July 12	4,965	June 4	993	June 21	4,965
July 17	4,965	June 9	1,489	June 29	2,979
July 20	1,986	June 18	4,965	July 9	2,979
July 21	993	June 25	3,972	July 15	2,979
July 23	993	July 2	4,965	July 22	4,965
July 27	496	July 8	4,965	July 26	4,965 *Actual Measurements
July 28	496	July 14	4,965	July 29*	2,749
July 30	993	July 21	4,965	Aug. 5*	2,482
Aug. 2	993	July 30	2,482	Aug. 10*	2,333
Aug. 5	1,489	Aug. 7	2,482	Aug. 12*	2,150
Aug. 10	2,482	Aug. 13	2,979	Aug. 15*	1,937
Aug. 13	1,986	Aug. 20	2,979	Aug. 18*	2,151
Aug. 15	993	Aug. 28	4,965	Aug. 24	1,986
Aug. 17	993	Aug. 30	2,979	Aug. 30*	3,243
Sep. 6	1,986	Sep. 5	2,482	Sep. 2*	1,340
Sep. 13	2,432	Sep. 7	4,965	Sep. 9*	3,237
Sep. 18	1,986	Sep. 15	4,965	Sep. 20*	3,367
Sep. 24	993	Sep. 22	1,986	—	—
Total	38,178		69,508		60,737

Excerpt from Supt's. Monthly Report for Bryce Canyon

September 1948.

Water Systems

Repairs were made on the Yovimpa pump reservoir. When storage continued to drop, a leak was discovered and corrected in the drain valve.

The Yovimpa Springs - Rainbow Point water system was shut down for the year on September 24. Since the first pumping this season, May 24 the pump was operated a total of 59 hours and 58,000 gallons were pumped into the water storage tank at Rainbow point.

An experimental test hole for water was dug near the Bryce maintenance area and water was struck at 24 feet. The well was dug to a total depth of 30 feet and 800 to 1000 gallons of water is collected overnight.

Other Supporting Information

BRYCE CANYON NATIONAL PARK

Rainbow Point Storage Area

WATER RIGHTS #1

The Rainbow Point Storage Area receives its water supply from Yovimpa Springs. On February 11, 1941, the National Park Service filed Application No. 14066 with the Utah State Engineer for appropriation of 0.01 sec.ft. of water from Yovimpa Springs. This application was based on anticipated domestic use; as such, it was approved May 15, 1941.

Thereafter, on October 19, 1948, the National Park Service filed Application No. 20278 for appropriation of 0.10 sec.ft. of water from Yovimpa Springs with the Utah State Engineer. The reason for this application was to change the designated use of the water derived from Yovimpa Springs from domestic use to municipal use. The theory behind the substitution is obvious: Domestic use appropriation gives water to the appropriator based on actual use; a municipal use appropriation is based on ability of the source to deliver the water wished to be appropriated. As a result of the substitution, the National Park Service lost its 1941 priority, but nevertheless felt justified because the relative priority did not seem as important as the authority to use the greater quantity of water. Application No. 20278 was approved May 12, 1949.

The National Park Service was required to make final proof of appropriation from Yovimpa Springs by May 12, 1963. Several times before that date it had a choice between making final proof or requesting an extension of time. In each case the latter course was chosen. The factors considered in making these decisions are laid out in considerable detail on the correspondence side of this docket.

On October 29, 1963, Certificate No. 6608 of Appropriation of Water was issued to the United States (National Park Service). The National Park Service has a year-round use of the water from Yovimpa Springs for domestic purposes for 375,000 persons per year and for fire protection purposes.

Roger P. Smith
April 24, 1967

C O P Y

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
Region Three
Santa Fe, New Mexico

May 10, 1951

Memorandum

To: Superintendent, Zion and Bryce Canyon National Park

From: Acting Regional Chief of Land and Recreation Planning

Subject: Water Right Application No. 21353, Headquarters Well, and Application No. 20278, Yovimpa Springs, Bryce Canyon National Park

We have attached a copy of Mr. Dunn's memorandum of May 2 outlining a recent change in the Washington Office procedure relating to the numbering and filing of water right deeds. Mr. Dunn explains that, up to the present time, all original documents in deed assemblies have been retained in the Washington Office. At the present time, for security purposes, original deeds are being transmitted to the superintendent of the area involved.

Mr. Dunn also explains that they are starting a new numbering series complete for each area beginning with number 1. This will necessitate renumbering the original water right deeds.

We have attached applications No. 14066 and 20278 Bryce Canyon National Park which is now "Water Right Docket No. 1." Also attached is Bryce Canyon National Park Water Right Docket No.2, Application number 21353 Headquarters Well.

We have changed our Regional Office records to correspond with Water Right Docket No. 1 and Mr. Dunn has furnished us with a copy of Water Right Docket No. 2 for our files.

Mr. Dunn calls our attention to the reclassifying of the assemblies as "dockets" instead of "deeds", and we plan to make changes accordingly as we are instructed by the Washington Office.

This memorandum has been prepared in triplicate with the thought that you might wish to furnish this information to Capitol Reef.

(SIGNED)

John E. Kell
Acting Regional Chief of
Land and Recreation Planning

In triplicate

Attachments 3

Copy to: Director, without attachments

05-02-1951: memorandum: water right application no. 21353 and 20278; may 02, 1951

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
WASHINGTON 25, D. C.

In reply refer to:
L54 BRYC

May 2, 1951

Memorandum

To: Regional Director, Region Three

From: Chief, Water Resources Branch

Subject: Water Right Application No. 21353, Headquarters Well, and Application No. 20278, Yovimpa Springs, Bryce Canyon National Park

We have recently changed our procedure with relation to the numbering and filing of water right deeds. Heretofore, we have retained all original documents in a deed assembly, considered the official deed, in this Office, and forwarded copies to your office for your own files and those of the area involved. Henceforth, for security purposes, we shall forward the original "deed" to you for transmittal to the Superintendent of the area involved, together with a copy of the assembly for your own files, except in those cases where the water right has been acquired by actual purchase, with or without land. In addition, we shall retain a copy in this Office for record purposes.

As this is done, the old "deed" number will be replaced by a new "water right" numbering series, complete for each area beginning with number 1 and continuing numerically. This will necessitate renumbering the original water right deeds now in our possession before forwarding them to the area, so with the press of work now ahead of us it will be some time before the project can be completed. We are, however, beginning at once to follow this system in assembling or numbering new water right dockets.

The L-1 and L-3 forms formerly used as indices for the water right deeds will be replaced by an index system which describes water rights better. The L forms are being discontinued at once, and the entirely new set of indices will be supplied as soon as possible.

In conformance with the above-described plan, we forward herewith two assemblies of Bryce Canyon Water Right Docket No. 2, consisting of the water right application and the well driller's report, relating to the well at the Headquarters Area of Bryce Canyon

National Park. The assembly containing the original approved application signed by the State Engineer is to be forwarded to the Superintendent of Zion and Bryce Canyon, and the other copy is to be retained in your own files, as indicated in pencil on each assembly.

We also enclose the original of Bryce Canyon Water Right Docket No. 1, which is to be forwarded by you to the Superintendent. This was formerly Deed 3, and you should make the change on the tab of the copy in your possession.

You will note that we are reclassifying the assemblies as "dockets" instead of "deeds," because water rights do not have the static characteristics of land deeds.

(SGD.) A. VAN V. DUNN.
A. van V. Dunn
Chief, Water Resources Branch

In duplicate

Attachments 3

AvanVDunn:sh

NATIONAL PARK SERVICE
Director's Office
Washington

Date: 9/28

Message

Director
Associate Director
Assistant Director
Special Assistant
Chief Clerk
Chief Counsel
Chief of Concessions
Chief of Development
Chief Forester
Chief Historian
Chief of Information
Chief of Lands
Chief Naturalist
Chief, Safety Office
Chief, Travel Division
Editor-in-Chief
Finance Officer
Personnel Officer

2339

Mr. Drury
Hope can't you see
and working terms should be
deemed to constitute a
waiver or relinquishment
by the U.S. of any right title
or interest it may have
in and to the water
covered by the
application or in
any way united in
the State of Utah.
I can't see any good reason
why we shouldn't sign
this, but suppose
you advise first
in the matter
Drury

(Signature)

STANDARD FORM NO. 64

Office Memorandum • UNITED STATES GOVERNMENT

257.
D&Lee

TO : Chief Counsel. DATE: Sept. 28, 1948.

FROM : Mr. Dunn.

SUBJECT: Statement on Federal Water Right Applications.

Some years ago we filed Application 14066 for the appropriation of the waters of Yovimpa Spring at Bryce Canyon National Park for domestic purposes. State Engineer Humphreys refused to recognize municipal status at that time.

Now that proof is due, we have a new State Engineer, Mr. Watson, who agrees that the use is municipal, rather than domestic in character and that we can prove municipal use. We cannot prove domestic use because the system does not serve a residence.

To make a claim for municipal purposes means abandonment of the original priority and establishment of the priority of the date of amendment. We have satisfied ourselves, in the Development Division and Regional Office, that the priority is not important in this case, and that the municipal status is worth a great deal.

We are making the application for appropriation for municipal purposes. Even though the State Engineer cannot recognize the carry-over of priority, I do not think the United States should abandon it. There is no priority or Federal claim to the waters of the spring prior to the initiation of Application 14066.

In these circumstances, I do not think a standard statement, as discussed with Mrs. Greeley, is applicable, even if it had been decided upon. I attach copies of the statement drafted by Mr. Lee, which you condensed slightly at my request, and the statement which Mr. Taylor of the Fish and Wildlife Service has submitted to Mrs. Greeley.

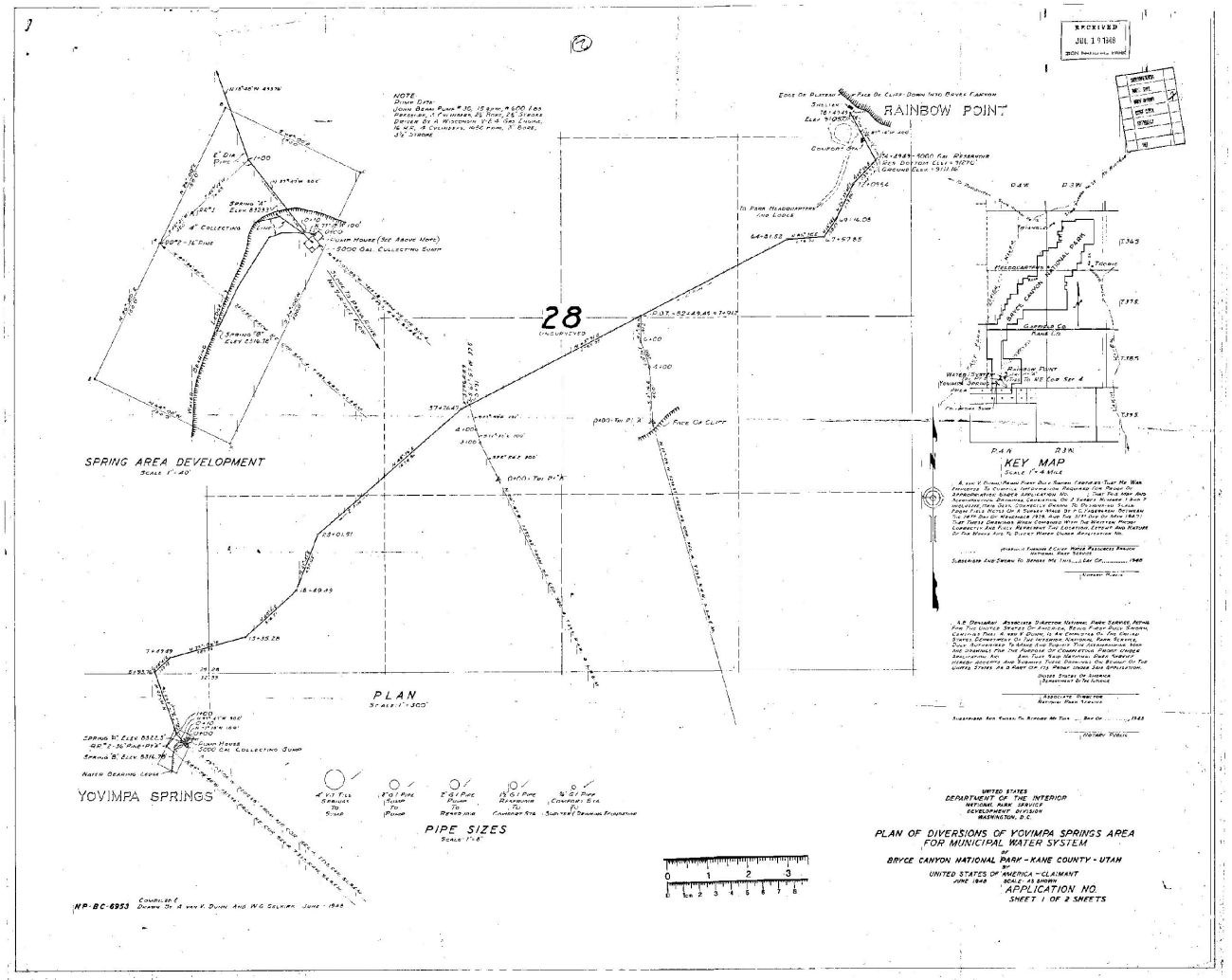
On the basis of these (and I should like to keep to 6 lines or less, because of limited space) I suggest the following for the particular case. (The filing 14066, of course, was made without any statement.):

> "This application is to supersede Application No. 14066 by the same claimant, to correct the purpose and place of use, but not to alter the point of diversion or initiation of appropriation; and nothing herein shall be deemed as abandonment by the United States of any priority initiated by filing said Application No. 14066."

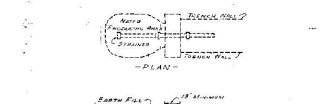
Please ok, or edit above for this one application. I might add that it would help to soften it if possible, to prevent any idea that we want the State Engineer to do the impossible, to assign the old priority to the new application.

Chief, Water Resources Banch.

(Typed and routed to Chief Counsel in absence of Mr. Dunn.)


RECEIVED
JUL 1 9 1948
RAINBOW POINT
28
UNSURVEYED
SPRING AREA DEVELOPMENT
SCALE 1"=40'
PLAN
SCALE 1"=200'
KEY MAP
SCALE 1"=4 MILE
YOVIMPA SPRINGS
PIPE SIZES
SCALE 1"=6
PLAN OF DIVERSIONS OF YOVIMPA SPRINGS AREA
FOR MUNICIPAL WATER SYSTEM
OF
BRYCE CANYON NATIONAL PARK - KANE COUNTY - UTAH
BY
UNITED STATES OF AMERICA - CLAIMANT
JUNE 1948
SCALE: AS SHOWN
APPLICATION NO.
SHEET 1 OF 2 SHEETS
UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
DEVELOPMENT DIVISION
WASHINGTON, D.C.
NP-BC-6953

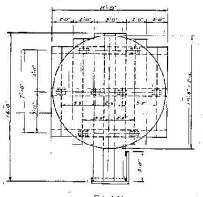
00-00-0000: application details



TYPICAL SPRING DEVELOPMENT
SCALE 1"=4'

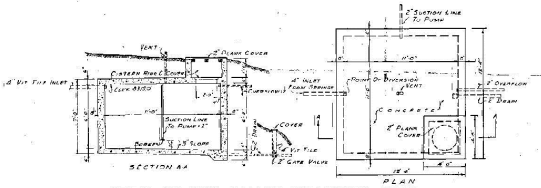


COLLECTION LINE
SCALE 1"=4'

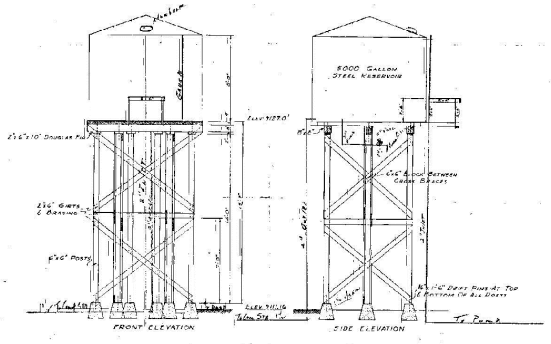




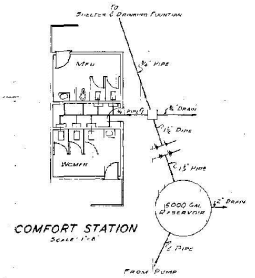




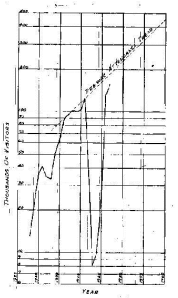
DETAIL OF 5000 GALLON COLLECTING SUMP
SCALE 1"=4'



DETAIL OF RESERVOIR & TOWER
SCALE 1"=2'-0"



COMFORT STATION
SCALE 1"=8'

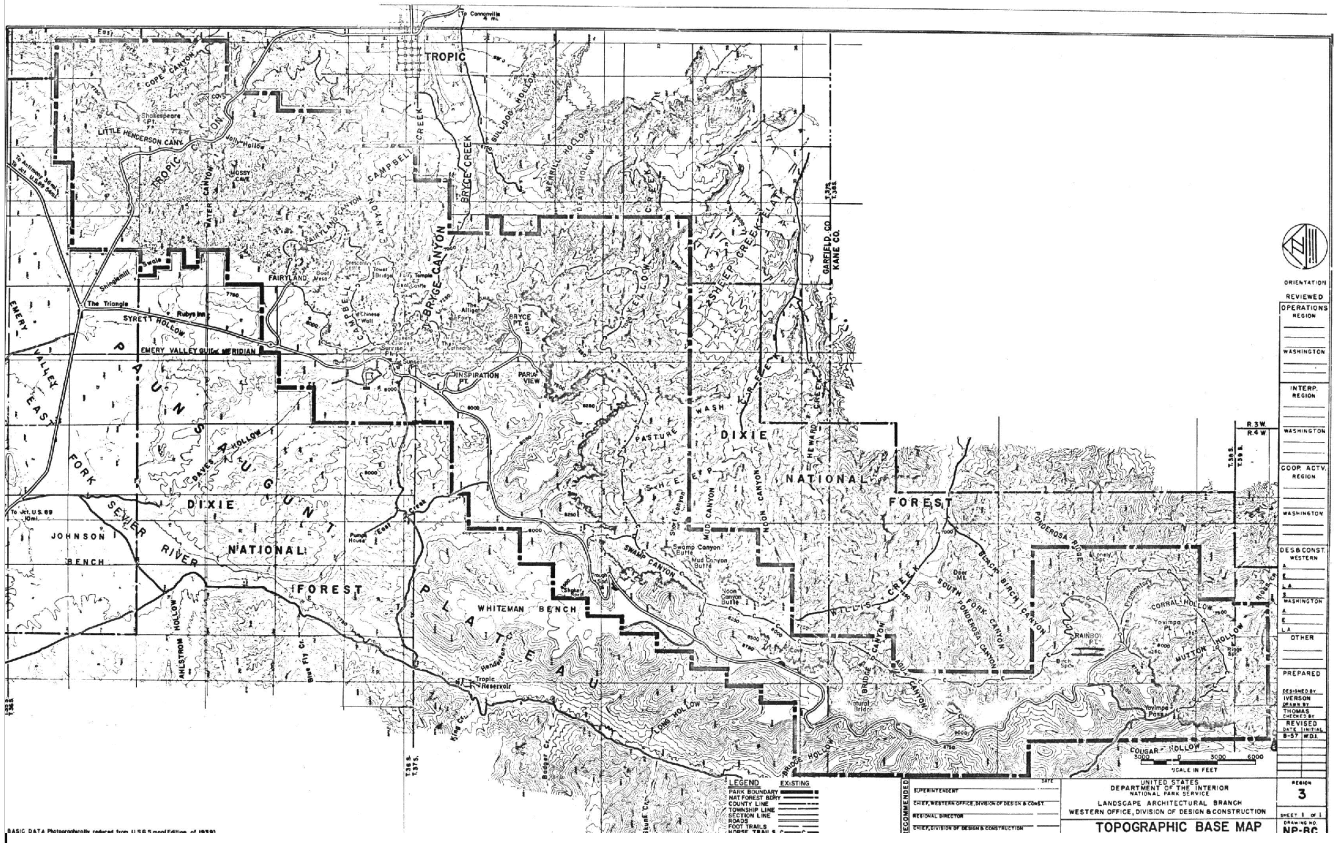


RECORD OF ANNUAL ATTENDANCE

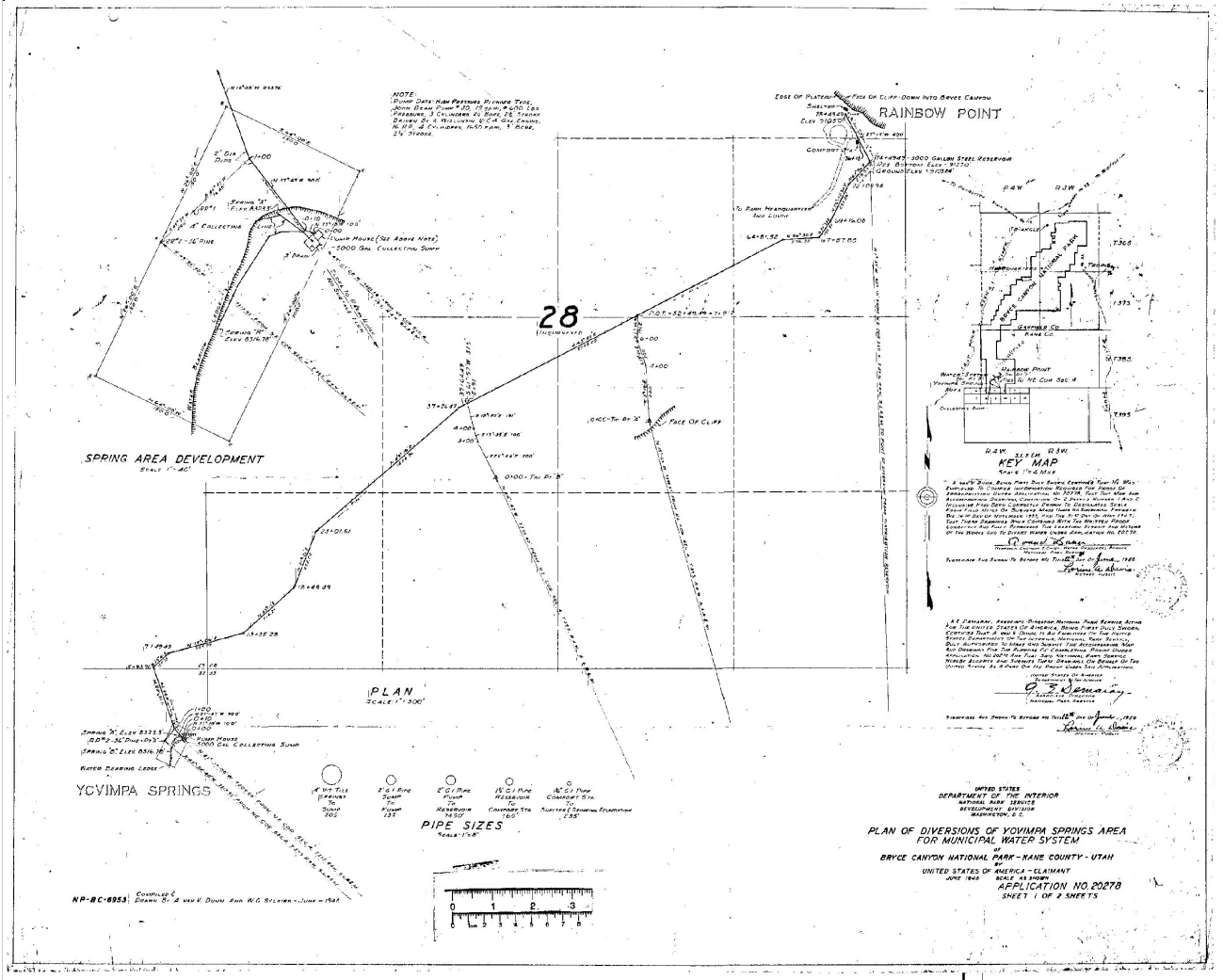
NP-BC-8953 Compiled & Drawn by A. van V. Dunn and W.G. Spilker - June - 1948

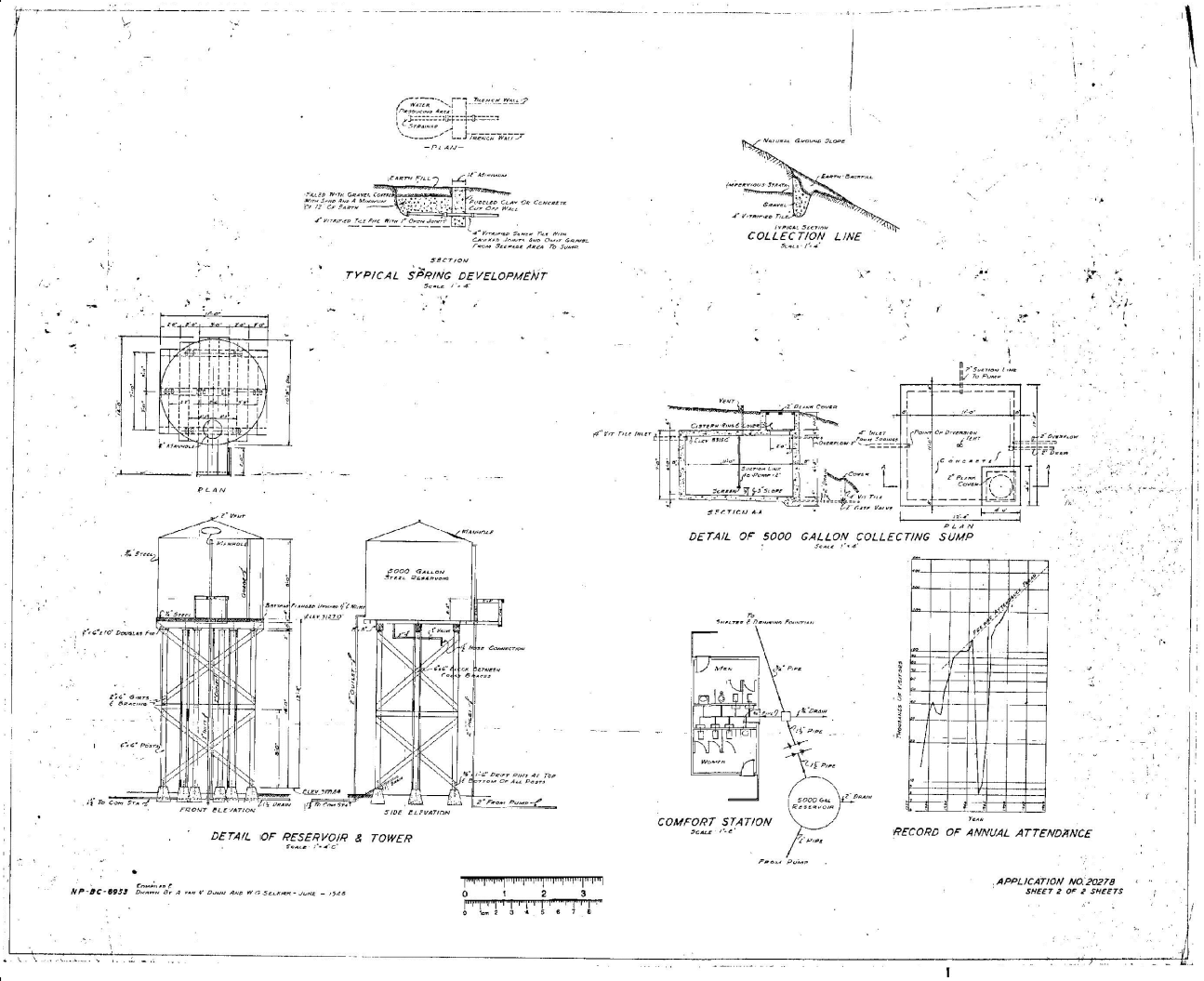
APPLICATION NO.
SHEET 2 OF 2 SHEETS.

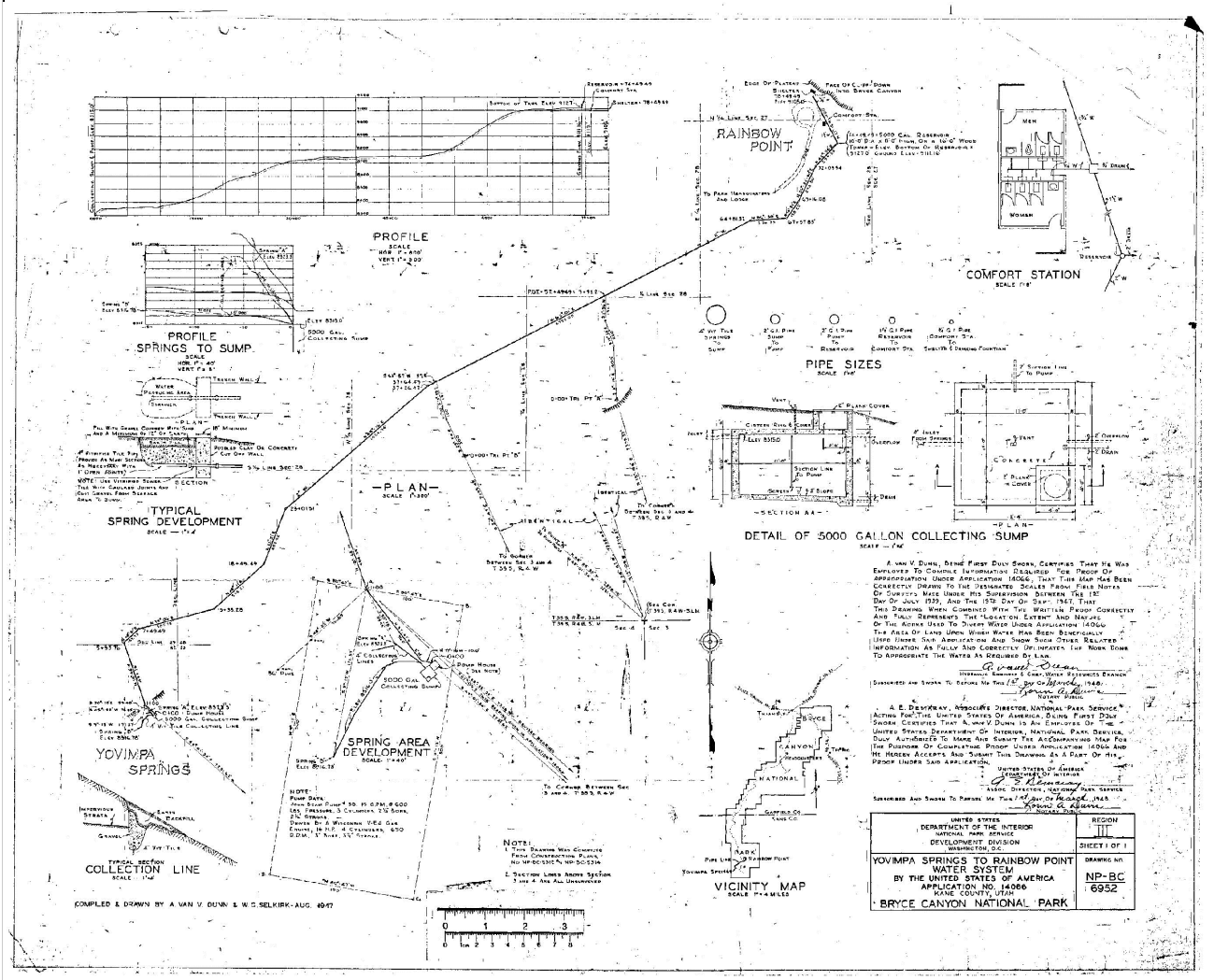
00-00-0000: topographic base map; august, 1957



00-00-0000: plan of diversions of yovimpa springs area




PLAN
SECTION
TYPICAL SPRING DEVELOPMENT
SCALE 1"=8'
TYPICAL SECTION
COLLECTION LINE
SCALE 1"=2'
PLAN
SECTION A-A
DETAIL OF 5000 GALLON COLLECTING SUMP
SCALE 1"=8'
FRONT ELEVATION
SIDE ELEVATION
5000 GALLON STEEL RESERVOIR
DETAIL OF RESERVOIR & TOWER
SCALE 1"=4'-0"
MEN
WOMEN
5000 GAL RESERVOIR
COMFORT STATION
SCALE 1"=6'
RECORD OF ANNUAL ATTENDANCE
NP-BC-8933
APPLICATION NO. 20278
SHEET 2 OF 2 SHEETS



Docket Information

Number of Documents in Docket 305

Documents Dated from 12/16/1939 to 4/24/1967

Docket Compiled: 3/6/2017